

[COMMITTEE PRINT]

COMMITTEE ON RULES

March 22, 2006

**[Amendment in the Nature of a Substitute to H.R. 609, as
Reported]**

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “College Access and Opportunity Act of 2006”.

4 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. References; effective date.

TITLE I—GENERAL PROVISIONS

Sec. 101. Definition of institution of higher education.

“Sec. 101. Definition of institution of higher education.

“Sec. 102. Institutions outside the United States.

“Sec. 123. Restrictions on funds for for-profit schools.

Sec. 102. New borrower definition.

Sec. 103. Student speech and association rights.

Sec. 104. National Advisory Committee on Institutional Quality and Integrity.

Sec. 105. Alcohol and drug abuse prevention.

Sec. 106. Prior rights and obligations.

Sec. 107. Limitation on certain uses of funds.

“Sec. 124. Limitation on certain uses of funds.

Sec. 108. Consumer information and public accountability in higher education.

“Sec. 131. Consumer information and public accountability in higher edu-
cation.

Sec. 109. Databases of student information.

“Sec. 132. Databases of student information prohibited.

Sec. 110. Performance-based organization.

TITLE II—TEACHER PREPARATION

Sec. 201. Teacher quality enhancement grants.



2

“PART A—TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND
PARTNERSHIPS

- “Sec. 201. Purposes; definitions.
- “Sec. 202. State grants.
- “Sec. 203. Partnership grants.
- “Sec. 204. Teacher recruitment grants.
- “Sec. 205. Administrative provisions.
- “Sec. 206. Accountability and evaluation.
- “Sec. 207. Accountability for programs that prepare teachers.
- “Sec. 208. State functions.
- “Sec. 209. General provisions.
- “Sec. 210. Authorization of appropriations.
- Sec. 202. Preparing tomorrow’s teachers to use technology.
- Sec. 203. Centers of excellence.

“PART C—CENTERS OF EXCELLENCE

- “Sec. 231. Purposes; definitions.
- “Sec. 232. Centers of excellence.
- “Sec. 233. Authorization of appropriations.
- Sec. 204. Teacher incentive fund program.

“PART D—TEACHER INCENTIVE FUND PROGRAM

- “Sec. 241. Purpose; definitions.
- “Sec. 242. Teacher incentive fund grants.
- “Sec. 243. Evaluations.
- “Sec. 244. Authorization of appropriations.
- Sec. 205. Transition.

TITLE III—INSTITUTIONAL AID

- Sec. 301. Title III grants for American Indian Tribally Controlled Colleges and Universities.
- Sec. 302. Alaska Native and Native Hawaiian-serving institutions.
- Sec. 303. Grants to part B institutions.
- Sec. 304. Technical amendments.
- Sec. 305. Title III authorizations.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS

- Sec. 401. Pell Grants.
- “Sec. 401A. Pell Grants Plus: achievement grants for State scholars.
- Sec. 402. TRIO programs.
- Sec. 403. TRIO reform.
- “Sec. 402G. Staff development activities.
- “Sec. 402H. Evaluations.
- Sec. 404. GEARUP.
- Sec. 405. Federal Supplemental Educational Opportunity Grants.
- Sec. 406. LEAP.
- Sec. 407. HEP/CAMP program.
- Sec. 408. Robert C. Byrd Honors Scholarship Program.



3

“SUBPART 6—ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM

“Sec. 419A. Robert C. Byrd mathematics and science honors scholarship program.

“Sec. 419B. Mathematics and science incentive program.

“Sec. 419C. Mathematics and science education coordinating council grants.

“Sec. 419D. Authorization of appropriations.

Sec. 409. Child care access.

Sec. 410. Learning anytime anywhere partnerships.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

Sec. 421. Loan forgiveness for service in areas of national need.

“Sec. 428K. Loan forgiveness for service in areas of national need.

Sec. 422. Additional administrative provisions.

PART C—FEDERAL WORK-STUDY PROGRAMS

Sec. 441. Authorization of appropriations.

Sec. 442. Community service.

Sec. 443. Allocation of funds.

Sec. 444. Books and supplies.

Sec. 445. Job location and development.

Sec. 446. Work colleges.

PART D—FEDERAL DIRECT LOAN PROGRAM

Sec. 451. Income contingent repayment.

PART E—FEDERAL PERKINS LOAN PROGRAM

Sec. 461. Reauthorization of program.

Sec. 462. Loan terms and conditions.

Sec. 463. Loan cancellation.

Sec. 464. Technical amendments.

PART F—NEED ANALYSIS

Sec. 471. Significantly simplifying the student aid application process.

Sec. 472. Discretion of student financial aid administrators.

PART G—GENERAL PROVISIONS RELATING TO STUDENT FINANCIAL ASSISTANCE

Sec. 481. Expanding information dissemination regarding eligibility for Pell Grants.

Sec. 482. Student eligibility.

Sec. 483. Institutional refunds.

Sec. 484. Institutional and financial assistance information for students.

Sec. 485. Distance education demonstration program.

Sec. 486. College affordability demonstration program.

“Sec. 486A. College affordability demonstration program.

Sec. 487. Program participation agreements.

Sec. 488. Additional technical and conforming amendments.

PART H—PROGRAM INTEGRITY

Sec. 495. Accreditation.



Sec. 496. Report to Congress on prevention of fraud and abuse in student financial aid programs.

“Sec. 499. Report to Congress on prevention of fraud and abuse in student financial aid programs.

TITLE V—DEVELOPING INSTITUTIONS

Sec. 501. Definitional changes.

Sec. 502. Assurance of enrollment of needy students.

Sec. 503. Additional amendments.

Sec. 504. Postbaccalaureate opportunities for Hispanic Americans.

“PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

“Sec. 511. Purposes.

“Sec. 512. Program authority and eligibility.

“Sec. 513. Authorized activities.

“Sec. 514. Application and duration.

Sec. 505. Authorization of appropriations.

TITLE VI—TITLE VI AMENDMENTS

Sec. 601. International and foreign language studies.

Sec. 602. Business and international education programs.

Sec. 603. Institute for International Public Policy.

“Sec. 621. Program for foreign service professionals.

Sec. 604. Evaluation, outreach, and dissemination.

“Sec. 632. Evaluation, outreach, and dissemination.

Sec. 605. Advisory Board.

“Sec. 633. International Higher Education Advisory Board.

Sec. 606. Recruiter access to students and student recruiting information; safety.

“Sec. 634. Recruiter access to students and student recruiting information.

“Sec. 635. Student safety.

Sec. 607. National study of foreign language heritage communities.

“Sec. 636. National study of foreign language heritage communities.

TITLE VII—TITLE VII AMENDMENTS

Sec. 701. Javits fellowship program.

Sec. 702. Graduate assistance in areas of national need.

Sec. 703. Thurgood Marshall legal educational opportunity program.

Sec. 704. Fund for the improvement of postsecondary education.

Sec. 705. Urban community service.

Sec. 706. Demonstration projects to ensure students with disabilities receive a quality higher education.

TITLE VIII—CLERICAL AMENDMENTS

Sec. 801. Clerical amendments.

TITLE IX—AMENDMENTS TO OTHER EDUCATION LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

Sec. 901. Laurent Clerc National Deaf Education Center.



- Sec. 902. Authority.
- Sec. 903. Agreement for the National Technical Institute for the Deaf.
- Sec. 904. Definitions.
- Sec. 905. Audit.
- Sec. 906. Reports.
- Sec. 907. Liaison for educational programs.
- Sec. 908. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.
- Sec. 909. Oversight and effect of agreements.
- Sec. 910. Authorization of appropriations.
- “Sec. 1. Short title.

PART B—ADDITIONAL EDUCATION LAWS

- Sec. 921. Cancellation of student loan indebtedness for survivors of victims of the September 11, 2001, attacks.
- Sec. 922. Amendment to Higher Education Amendments of 1998.
- Sec. 923. Tribally Controlled College or University Assistance Act of 1978.
- Sec. 924. Navajo Community College Act.
- Sec. 925. Education Amendments of 1992.
- Sec. 926. Study of student learning outcomes and public accountability.
- Sec. 927. Study of minority graduation rates.
- Sec. 928. Study of education-related indebtedness of medical school graduates.
- Sec. 929. Study of adult learners.
- Sec. 930. Increase in college textbook prices.

1 **SEC. 2. REFERENCES; EFFECTIVE DATE.**

2 (a) REFERENCES.—Except as otherwise expressly
 3 provided, whenever in this Act an amendment or repeal
 4 is expressed in terms of an amendment to, or repeal of,
 5 a section or other provision, the reference shall be consid-
 6 ered to be made to a section or other provision of the
 7 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

8 (b) EFFECTIVE DATE.—Except as otherwise provided
 9 in this Act, the amendments made by this Act shall take
 10 effect on the date of enactment of this Act.



1 **TITLE I—GENERAL PROVISIONS**

2 **SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDU-**
3 **CATION.**

4 (a) AMENDMENT.—Title I is amended by striking
5 sections 101 and 102 (20 U.S.C. 1001, 1002) and insert-
6 ing the following:

7 **“SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDU-**
8 **CATION.**

9 “(a) INSTITUTION OF HIGHER EDUCATION.—For
10 purposes of this Act, the term ‘institution of higher edu-
11 cation’ means an educational institution in any State
12 that—

13 “(1) admits as regular students only individuals
14 who—

15 “(A) meet the requirements of section
16 484(d)(3), or have a certificate of graduation
17 from a school providing secondary education, or
18 the recognized equivalent of such a certificate;

19 “(B) are beyond the age of compulsory
20 school attendance in the State in which the in-
21 stitution is located; or

22 “(C) will be dually enrolled in that institu-
23 tion and a secondary school;



1 “(2) is legally authorized within such State to
2 provide a program of education beyond secondary
3 education;

4 “(3)(A) is accredited by a nationally recognized
5 accrediting agency or association; or

6 “(B) if not so accredited, is a public or non-
7 profit institution that has been granted
8 preaccreditation status by such an agency or asso-
9 ciation that has been recognized by the Secretary for
10 the granting of preaccreditation status, and the Sec-
11 retary has determined that there is satisfactory as-
12 surance that the institution will meet the accredita-
13 tion standards of such an agency or association
14 within a reasonable time; and

15 “(4) meets either of the following criteria:

16 “(A) is a nonprofit, for-profit, or public in-
17 stitution that—

18 “(i) provides an educational program
19 for which the institution awards a bach-
20 elor’s, graduate, or professional degree;

21 “(ii) provides not less than a 2-year
22 educational program which is acceptable
23 for full credit towards such a degree;

24 “(iii) provides not less than a 1-year
25 program of training that prepares students



1 for gainful employment in a recognized oc-
2 cupation; or

3 “(iv) awards a degree that is accept-
4 able for admission to graduate or profes-
5 sional degree programs, subject to the re-
6 view and approval of the Secretary; or

7 “(B) is a nonprofit, for-profit, or public in-
8 stitution that provides an eligible program (as
9 defined in section 481)—

10 “(i) for which the institution awards a
11 certificate; and

12 “(ii) that prepares students for gain-
13 ful employment in a recognized occupation.

14 “(b) ADDITIONAL LIMITATIONS.—

15 “(1) FOR-PROFIT POSTSECONDARY INSTITU-
16 TIONS.—

17 “(A) DURATION OF ACCREDITATION.—A
18 for-profit institution shall not be considered to
19 be an institution of higher education unless
20 such institution is accredited by a nationally
21 recognized accrediting agency or association
22 and such institution has been in existence for at
23 least 2 years.

24 “(B) INSTITUTIONAL ELIGIBILITY ONLY
25 FOR COMPETITIVE GRANTS.—For the purposes

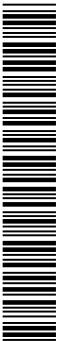


1 of any program providing grants to institutions
2 for use by the institution (and not for distribu-
3 tion among students), a for-profit institution
4 shall not be considered to be an institution of
5 higher education under this section if such
6 grants are awarded on any basis other than
7 competition on the merits of the grant proposal
8 or application.

9 “(2) POSTSECONDARY VOCATIONAL INSTITU-
10 TIONS.—A nonprofit or public institution that meets
11 the criteria of subsection (a)(4)(B) shall not be con-
12 sidered to be an institution of higher education un-
13 less such institution has been in existence for at
14 least 2 years.

15 “(3) LIMITATIONS BASED ON MANAGEMENT.—
16 An institution shall not be considered to meet the
17 definition of an institution of higher education in
18 this section if—

19 “(A) the institution, or an affiliate of the
20 institution that has the power, by contract or
21 ownership interest, to direct or cause the direc-
22 tion of the management or policies of the insti-
23 tution, has filed for bankruptcy, except that
24 this paragraph shall not apply to a nonprofit in-
25 stitution, the primary function of which is to

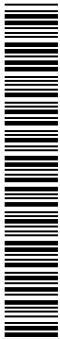


1 provide health care educational services (or an
2 affiliate of such an institution that has the
3 power, by contract or ownership interest, to di-
4 rect or cause the direction of the institution's
5 management or policies) that filed for bank-
6 ruptcy under chapter 11 of title 11, United
7 States Code, between July 1, 1998, and Decem-
8 ber 1, 1998; or

9 “(B) the institution, the institution's
10 owner, or the institution's chief executive officer
11 has been convicted of, or has pled nolo
12 contendere or guilty to, a crime involving the
13 acquisition, use, or expenditure of Federal,
14 State, or local government funds, or has been
15 judicially determined to have committed a crime
16 involving the acquisition, use, or expenditure in-
17 volving Federal, State, or local government
18 funds.

19 “(4) LIMITATION ON COURSE OF STUDY OR EN-
20 ROLLMENT.—An institution shall not be considered
21 to meet the definition of an institution of higher
22 education in subsection (a) if such institution—

23 “(A) offers more than 50 percent of such
24 institution's courses by correspondence (exclud-
25 ing courses offered by telecommunications as



1 defined in section 484(l)(4)), unless the institu-
2 tion is an institution that meets the definition
3 in section 3(3)(C) of the Carl D. Perkins Voca-
4 tional and Technical Education Act of 1998;

5 “(B) enrolls 50 percent or more of the in-
6 stitution’s students in correspondence courses
7 (excluding courses offered by telecommuni-
8 cations as defined in section 484(l)(4)), unless
9 the institution is an institution that meets the
10 definition in section 3(3)(C) of the Carl D. Per-
11 kins Vocational and Technical Education Act of
12 1998, except that the Secretary, at the request
13 of the institution, may waive the applicability of
14 this subparagraph to the institution for good
15 cause, as determined by the Secretary in the
16 case of an institution of higher education that
17 provides a 2- or 4-year program of instruction
18 (or both) for which the institution awards an
19 associate or baccalaureate degree, respectively;

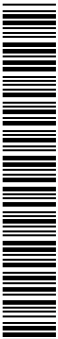
20 “(C) has a student enrollment in which
21 more than 25 percent of the students are incar-
22 cerated, except that the Secretary may waive
23 the limitation contained in this subparagraph
24 for an institution that provides a 2- or 4-year
25 program of instruction (or both) for which the



1 institution awards a bachelor's degree, or an as-
2 sociate's degree or a postsecondary certificate,
3 respectively; or

4 “(D) has a student enrollment in which
5 more than 50 percent of the students either do
6 not meet the requirements of section 484(d)(3)
7 or do not have a secondary school diploma or
8 its recognized equivalent, and does not provide
9 a 2- or 4-year program of instruction (or both)
10 for which the institution awards an associate's
11 degree or a bachelor's degree, respectively, ex-
12 cept that the Secretary may waive the limita-
13 tion contained in this subparagraph if an insti-
14 tution demonstrates to the satisfaction of the
15 Secretary that the institution exceeds such limi-
16 tation because the institution serves, through
17 contracts with Federal, State, or local govern-
18 ment agencies, significant numbers of students
19 who do not meet the requirements of section
20 484(d)(3) or do not have a secondary school di-
21 ploma or its recognized equivalent.

22 “(c) LIST OF ACCREDITING AGENCIES.—For pur-
23 poses of this section, the Secretary shall publish a list of
24 nationally recognized accrediting agencies or associations
25 that the Secretary determines, pursuant to subpart 2 of



1 part H of title IV, to be reliable authority as to the quality
2 of the education or training offered.

3 “(d) CERTIFICATION.—The Secretary shall certify,
4 for the purposes of participation in title IV, an institu-
5 tion’s qualification as an institution of higher education
6 in accordance with the requirements of subpart 3 of part
7 H of title IV.

8 “(e) LOSS OF ELIGIBILITY.—An institution of higher
9 education shall not be considered to meet the definition
10 of an institution of higher education in this section for
11 the purposes of participation in title IV if such institution
12 is removed from eligibility for funds under title IV as a
13 result of an action pursuant to part H of title IV.

14 **“SEC. 102. INSTITUTIONS OUTSIDE THE UNITED STATES.**

15 “(a) INSTITUTIONS OUTSIDE THE UNITED
16 STATES.—

17 “(1) IN GENERAL.—An institution outside the
18 United States shall be considered to be an institu-
19 tion of higher education only for purposes of part B
20 of title IV if the institution is comparable to an in-
21 stitution of higher education, as defined in section
22 101, is legally authorized by the education ministry
23 (or comparable agency) of the country in which the
24 school is located, and has been approved by the Sec-
25 retary for purposes of that part. The Secretary shall



1 establish criteria by regulation for that approval and
2 that determination of comparability. An institution
3 may not be so approved or determined to be com-
4 parable unless such institution is a public or non-
5 profit institution, except that, subject to paragraph
6 (2)(B), a graduate medical school or veterinary
7 school located outside the United States may be a
8 for-profit institution.

9 “(2) MEDICAL AND VETERINARY SCHOOL CRI-
10 TERIA.—In the case of a graduate medical or veteri-
11 nary school outside the United States, such criteria
12 shall include a requirement that a student attending
13 such school outside the United States is ineligible
14 for loans made, insured, or guaranteed under part B
15 of title IV unless—

16 “(A) in the case of a graduate medical
17 school located outside the United States—

18 “(i)(I) at least 60 percent of those en-
19 rolled in, and at least 60 percent of the
20 graduates of, the graduate medical school
21 outside the United States were not persons
22 described in section 484(a)(5) in the year
23 preceding the year for which a student is
24 seeking a loan under part B of title IV;
25 and



1 “(II) at least 60 percent of the indi-
2 viduals who were students or graduates of
3 the graduate medical school outside the
4 United States or Canada (both nationals of
5 the United States and others) taking the
6 examinations administered by the Edu-
7 cational Commission for Foreign Medical
8 Graduates received a passing score in the
9 year preceding the year for which a stu-
10 dent is seeking a loan under part B of title
11 IV; or

12 “(ii) the institution has a clinical
13 training program that was approved by a
14 State as of January 1, 1992; or

15 “(B) in the case of a veterinary school lo-
16 cated outside the United States that is not a
17 public or nonprofit institution, the institution’s
18 students complete their clinical training at an
19 approved veterinary school located in the
20 United States.

21 “(b) ADVISORY PANEL.—

22 “(1) IN GENERAL.—For the purpose of quali-
23 fying a foreign medical school as an institution of
24 higher education only for purposes of part B of title
25 IV, the Secretary shall publish qualifying criteria by



1 regulation and establish an advisory panel of medical
2 experts that shall—

3 “(A) evaluate the standards of accredita-
4 tion applied to applicant foreign medical
5 schools; and

6 “(B) determine the comparability of those
7 standards to standards for accreditation applied
8 to United States medical schools.

9 “(2) FAILURE TO RELEASE INFORMATION.—
10 The failure of an institution outside the United
11 States to provide, release, or authorize release to the
12 Secretary of such information as may be required by
13 subsection (a)(2) shall render such institution ineli-
14 gible for the purpose of part B of title IV.”.

15 (b) RESTRICTIONS ON FUNDS FOR FOR-PROFIT
16 SCHOOLS.—Part B of title I is amended by inserting after
17 section 122 (20 U.S.C. 1011k) the following new section:

18 **“SEC. 123. RESTRICTIONS ON FUNDS FOR FOR-PROFIT**
19 **SCHOOLS.**

20 “(a) IN GENERAL.—Notwithstanding any other pro-
21 vision of this Act authorizing the use of funds by an insti-
22 tution of higher education that receives funds under this
23 Act, none of the funds made available under this Act to
24 a for-profit institution of higher education may be used
25 for—



1 “(1) construction, maintenance, renovation, re-
2 pair, or improvement of classrooms, libraries, labora-
3 tories, or other facilities;

4 “(2) establishing, improving, or increasing an
5 endowment fund; or

6 “(3) establishing or improving an institutional
7 development office to strengthen or improve con-
8 tributions from alumni and the private sector.

9 “(b) EXCEPTION.—Subsection (a) shall not apply to
10 funds received by the institution from the grant, loan, or
11 work assistance that is awarded under title IV to the stu-
12 dents attending such institution.

13 “(c) INELIGIBILITY FOR CERTAIN PROGRAMS.—Not-
14 withstanding section 101, a for-profit institution of higher
15 education shall not be considered an eligible institution for
16 the programs under titles III and V of this Act.”.

17 (c) CONFORMING AMENDMENTS.—

18 (1) Section 114(a) (20 U.S.C. 1011c(a)) is
19 amended by striking “(as defined in section 102)”.

20 (2) Section 435(a)(1) (20 U.S.C. 1085(a)(1)) is
21 amended by striking “section 102” and inserting
22 “section 101”.

23 (3) Subsection (d) of section 484 (20 U.S.C.
24 1091(d)) is amended by striking the designation and



1 heading of such subsection and inserting the fol-
2 lowing:

3 “(d) SATISFACTION OF SECONDARY EDUCATION
4 STANDARDS.—”.

5 (4) Section 486(b)(2) (20 U.S.C. 1093(b)(2)) is
6 amended by striking “102(a)(3)(A), 102(a)(3)(B)”
7 and inserting “101(b)(4)(A), 101(b)(4)(B)”.

8 (5) Section 487(c)(1)(A)(iii) (20 U.S.C.
9 1094(c)(1)(A)(iii)) is amended by striking “section
10 102(a)(1)(C)” and inserting “section 102”.

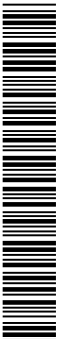
11 (6) Section 487(d) (20 U.S.C. 1094(d)) is
12 amended by striking “section 102” and inserting
13 “section 101”.

14 (7) Subsections (j) and (k) of section 496 (20
15 U.S.C. 1099b(j), (k)) are each amended by striking
16 “section 102” and inserting “section 101”.

17 (8) Section 498(g)(3) (20 U.S.C. 1099c(g)(3))
18 is amended by striking “section 102(a)(1)(C)” and
19 inserting “section 102”.

20 (9) Section 498(i)(1) (20 U.S.C. 1099c(i)(1)) is
21 amended by striking “section 102” and inserting
22 “section 101”.

23 (10) Section 498(j)(1) (20 U.S.C. 1099c) is
24 amended by striking “except that such branch shall
25 not be required to meet the requirements of sections



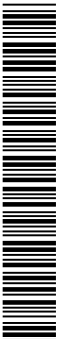
1 102(b)(1)(E) and 102(c)(1)(C) prior to seeking such
2 certification” and inserting “except that such branch
3 shall not be required to be in existence for at least
4 2 years prior to seeking such certification”.

5 (11) Section 498B(b) (20 U.S.C. 1099c–2(b))
6 is amended by striking “section 102(a)(1)(C)” and
7 inserting “section 102”.

8 (d) EFFECT ON OTHER LAWS.—

9 (1) INCLUSION OF FOR-PROFIT INSTITUTIONS
10 IN DEFINITION.—The inclusion of proprietary and
11 for-profit institutions within the definition of the
12 term “institution of higher education” in section
13 101 of the Higher Education Act of 1965 (20
14 U.S.C. 1001) pursuant to the amendment made by
15 subsection (a) of this section shall not apply to any
16 other provision of law (other than the Higher Edu-
17 cation Act of 1965) enacted before the date of enact-
18 ment of this Act that references section 101 of the
19 Higher Education Act of 1965 (or that term as so
20 defined), except as expressly provided by an amend-
21 ment to, or other revision of the application of, such
22 law enacted after such date of enactment.

23 (2) INCLUSION OF FOR-PROFIT INSTITUTIONS
24 AS TITLE III OR V ELIGIBLE INSTITUTION.—Any ref-
25 erence in any provision of law other than the Higher



1 Education Act of 1965 to institutions of higher edu-
2 cation that are eligible to participate in programs
3 under title III or V of such Act (20 U.S.C. 1051 et.
4 seq., 1101 et seq.) shall not be treated, as a con-
5 sequence of the amendment to section 101 of the
6 Higher Education Act of 1965 (20 U.S.C. 1001) by
7 subsection (a) of this section, as including a ref-
8 erence to a for-profit or proprietary institution of
9 higher education, except as expressly provided by an
10 amendment to, or other revision of the application
11 of, such law enacted after such date of enactment.

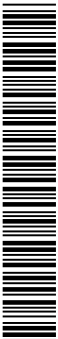
12 **SEC. 102. NEW BORROWER DEFINITION.**

13 Paragraph (7) of section 103 (20 U.S.C. 1003) is
14 amended to read as follows:

15 “(7) NEW BORROWER.—The term ‘new bor-
16 rower’ when used with respect to any date for any
17 loan under any provision of—

18 “(A) part B or part D of title IV means
19 an individual who on that date has no out-
20 standing balance of principal or interest owing
21 on any loan made, insured, or guaranteed under
22 either of those parts; and

23 “(B) part E of title IV means an indi-
24 vidual who on that date has no outstanding bal-



1 ance of principal or interest owing on any loan
2 made under that part.”.

3 **SEC. 103. STUDENT SPEECH AND ASSOCIATION RIGHTS.**

4 Section 112 (20 U.S.C. 1011a) is amended—

5 (1) by amending subsection (a) to read as fol-
6 lows:

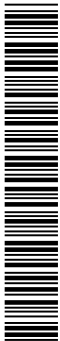
7 “(a) PROTECTION OF RIGHTS.—

8 “(1) It is the sense of Congress that no student
9 attending an institution of higher education on a
10 full- or part-time basis should, on the basis of par-
11 ticipation in protected speech or protected associa-
12 tion, be excluded from participation in, be denied the
13 benefits of, or be subjected to discrimination or offi-
14 cial sanction under any education program, activity,
15 or division of the institution directly or indirectly re-
16 ceiving financial assistance under this Act, whether
17 or not such program, activity, or division is spon-
18 sored or officially sanctioned by the institution; and

19 “(2) It is the sense of Congress that—

20 “(A) the diversity of institutions and edu-
21 cational missions is one of the key strengths of
22 American higher education;

23 “(B) individual colleges and universities
24 have different missions and each institution



1 should design its academic program in accord-
2 ance with its educational goals;

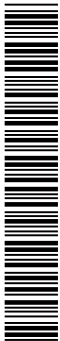
3 “(C) within the context of its institutional
4 mission, a college should promote intellectual
5 pluralism and facilitate the free and open ex-
6 change of ideas;

7 “(D) students should not be intimidated,
8 harassed, discouraged from speaking out, dis-
9 criminated against, or subject to official sanc-
10 tion because of their personal political, ideolog-
11 ical, or religious beliefs; and

12 “(E) students should be treated equally
13 and fairly, including evaluation and grading,
14 without regard to or consideration of their per-
15 sonal political views or ideological beliefs.

16 “(3) Nothing in paragraph (2) shall be con-
17 strued to modify, change, or infringe upon any con-
18 stitutionally protected religious liberty, freedom, ex-
19 pression, or association.”; and

20 (2) in subsection (b)(1), by inserting after
21 “higher education” the following: “, if the imposition
22 of such sanction is done objectively, fairly, and with-
23 out regard to the student’s personal political, ideo-
24 logical, or religious beliefs”.



1 **SEC. 104. NATIONAL ADVISORY COMMITTEE ON INSTITU-**
2 **TIONAL QUALITY AND INTEGRITY.**

3 (a) MEMBERSHIP.—Section 114(b) (20 U.S.C.
4 1011c(b)) is amended by adding at the end the following
5 new sentence: “A member of the Committee may continue
6 to serve after the expiration of a term until a successor
7 has been appointed.”.

8 (b) EXTENSION.—Section 114(g) (20 U.S.C.
9 1011c(g)) is amended by striking “2004” and inserting
10 “2012”.

11 **SEC. 105. ALCOHOL AND DRUG ABUSE PREVENTION.**

12 Section 120(e)(5) (20 U.S.C. 1011i(e)(5)) is
13 amended—

14 (1) by striking “1999” and inserting “2006”;
15 and

16 (2) by striking “4 succeeding fiscal years” and
17 inserting “5 succeeding fiscal years”.

18 **SEC. 106. PRIOR RIGHTS AND OBLIGATIONS.**

19 Section 121(a) (20 U.S.C. 1011j(a)) is amended by
20 striking “1999 and for each of the 4” each place it ap-
21 pears and inserting “2006 and for each of the 5”.

22 **SEC. 107. LIMITATION ON CERTAIN USES OF FUNDS.**

23 Part B of title I is further amended by adding after
24 section 123 (as added by section 101(b) of this Act) the
25 following new section:



1 **“SEC. 124. LIMITATION ON CERTAIN USES OF FUNDS.**

2 “No funds made available to carry out this Act may
3 be used—

4 “(1) for publicity or propaganda purposes not
5 authorized by the Congress before the date of enact-
6 ment of the College Access and Opportunity Act of
7 2006; or

8 “(2) unless authorized by law in effect on such
9 date of enactment, to produce any prepackaged news
10 story intended for broadcast or distribution unless
11 such story includes a clear a notification contained
12 within the text or audio of such story stating that
13 the prepackaged news story was prepared or funded
14 by the Department of Education.”.

15 **SEC. 108. CONSUMER INFORMATION AND PUBLIC AC-**
16 **COUNTABILITY IN HIGHER EDUCATION.**

17 Section 131 (20 U.S.C. 1015) is amended to read as
18 follows:

19 **“SEC. 131. CONSUMER INFORMATION AND PUBLIC AC-**
20 **COUNTABILITY IN HIGHER EDUCATION.**

21 “(a) PURPOSE.—It is the purpose of this section to—

22 “(1) provide students and families with an
23 easy-to-use, comprehensive web-based tool for re-
24 searching and comparing institutions of higher edu-
25 cation;



1 “(2) increase the transparency of college cost,
2 price, and financial aid; and

3 “(3) raise public awareness of information
4 available about postsecondary education, particularly
5 among low-income families, non-traditional student
6 populations, and first-generation college students.

7 “(b) COLLEGE OPPORTUNITY ON-LINE (COOL)
8 WEBSITE RE-DESIGN PROCESS.—In carrying out this
9 section, the Secretary—

10 “(1) shall identify the data elements that are of
11 greatest importance to prospective students, enrolled
12 students, and their families, paying particular atten-
13 tion to low-income, non-traditional student popu-
14 lations, and first-generation college students;

15 “(2) shall convene a group of individuals with
16 expertise in the collection and reporting of data re-
17 lated to institutions of higher education, the meas-
18 urement of institutional compliance costs, consumer
19 use of data related to institutions of higher edu-
20 cation, general consumer marketing, and college
21 intervention services to—

22 “(A) determine the relevance of particular
23 data elements to prospective students, enrolled
24 students, and families;



1 “(B) assess the cost-effectiveness of var-
2 ious ways in which institutions of higher edu-
3 cation might produce the data desired by con-
4 sumers;

5 “(C) determine the general comparability
6 of the data across institutions of higher edu-
7 cation;

8 “(D) make recommendations regarding the
9 inclusion of specific data items and the most ef-
10 fective and least burdensome methods to insti-
11 tutions of higher education of collecting and re-
12 porting useful data; and

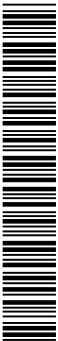
13 “(3) shall assure that the redesigned COOL
14 website—

15 “(A) uses, to the extent practicable, data
16 elements currently provided by institutions of
17 higher education to the Secretary;

18 “(B) includes clear and uniform informa-
19 tion determined to be relevant to prospective
20 students, enrolled students, and families;

21 “(C) provides comparable information, by
22 assuring that data is based on accepted criteria
23 and common definitions;

24 “(D) includes a sorting function that per-
25 mits users to customize their search for and



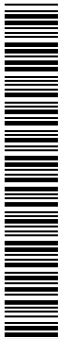
1 comparison of institutions of higher education
2 based on the information identified through the
3 process as prescribed in paragraph (1) as being
4 of greatest relevance to choosing an institution
5 of higher education.

6 “(c) DATA COLLECTION.—

7 “(1) DATA SYSTEM.—The Secretary shall con-
8 tinue to redesign the relevant parts of the Integrated
9 Postsecondary Education Data System to include
10 additional data as required by this section and to
11 continue to improve the usefulness and timeliness of
12 data collected by such systems in order to inform
13 consumers about institutions of higher education.

14 “(2) COLLEGE CONSUMER PROFILE.—The Sec-
15 retary shall publish, for each academic year and in
16 accordance with standard definitions developed by
17 the Commissioner of Education Statistics (including
18 definitions developed under section 131(a)(3)(A) as
19 in effect on the day before the date of enactment of
20 the College Access and Opportunity Act of 2006),
21 from at least all institutions of higher education par-
22 ticipating in programs under title IV the following
23 information:

24 “(A) The tuition and fees charged for a
25 first-time, full-time undergraduate student.



1 “(B) The room and board charges for such
2 a student.

3 “(C) The cost of attendance for a first-
4 time, full-time undergraduate student, con-
5 sistent with the provisions of section 472.

6 “(D) The average amount of financial as-
7 sistance received by a first-time full-time under-
8 graduate student, including—

9 “(i) each type of assistance or benefits
10 described in 428(a)(2)(C)(ii);

11 “(ii) institutional and other assist-
12 ance; and

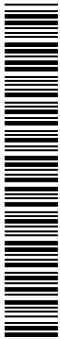
13 “(iii) Federal loans under parts B, D,
14 and E of title IV.

15 “(E) The number of first-time, full-time
16 students receiving financial assistance described
17 in each clause of subparagraph (D).

18 “(F) The average net price for first-time,
19 full-time students receiving Federal, State, or
20 institutional grant or loan assistance.

21 “(G) The institutional instructional ex-
22 penditure per full-time equivalent student.

23 “(H) Student enrollment information, in-
24 cluding information on the number and percent-
25 age of full-time and part-time students, the



1 number and percentage of resident and non-
2 resident students.

3 “(I) Faculty/student ratios.

4 “(J) Faculty information, including the
5 total number of faculty and the percentage of
6 faculty who are full-time employees of the insti-
7 tution and the percentage who are part-time.

8 “(K) Completion and graduation rates,
9 identifying whether the completion or gradua-
10 tion rates are from a 2-year or 4-year program
11 of instruction and, in the case of a 2-year pro-
12 gram of instruction, the percentage of students
13 who transfer to 4-year institutions prior or sub-
14 sequent to completion or graduation.

15 “(L) A link to the institution of higher
16 education with information of interest to stu-
17 dents including mission, accreditation, student
18 services (including services for students with
19 disabilities), transfer of credit policies and, if
20 appropriate, placement rates and other meas-
21 ures of success in preparing students for entry
22 into or advancement in the workforce.

23 “(M) Any additional information that the
24 Secretary may require.



1 “(d) DATA DISSEMINATION.—The Secretary shall
2 make available, at a minimum, the data collected pursuant
3 to this section, including an institution’s college afford-
4 ability index as calculated in accordance with subsection
5 (e). Such data shall be made available in a manner that
6 permits the review and comparison of data submissions
7 of individual institutions of higher education. Such data
8 shall be presented in a form that is easily accessible and
9 understandable and allows parents and students to make
10 informed decisions based on the prices for typical full-time
11 undergraduate students and the institution’s rate of cost
12 increase. The Secretary shall work with public and private
13 entities to promote broad public awareness, particularly
14 among middle and high school students and their families,
15 of the information made available under this section, in-
16 cluding by distribution to students who participate in or
17 receive benefits from Federally funded education pro-
18 grams and other Federal programs determined by the Sec-
19 retary.

20 “(e) COLLEGE AFFORDABILITY INDEX.—

21 “(1) IN GENERAL.—The Secretary shall, on the
22 basis of the data submitted under subsection (a),
23 calculate a college affordability index for each insti-
24 tution of higher education submitting such data and
25 shall make the index available in accordance with



1 subsection (d) as soon as operationally possible on
2 the Department's college opportunity online Web
3 site. Such index shall be presented in a manner so
4 that the index for any institution is stated in a col-
5 umn or cell immediately adjacent to a column or cell
6 containing the total tuition and fees of the institu-
7 tion.

8 “(2) CALCULATION OF INDEX.—The college af-
9 fordability index shall be equal to—

10 “(A) the percentage increase in the tuition
11 and fees charged for a first-time, full-time, full-
12 year undergraduate student between the first of
13 the 3 most recent preceding academic years and
14 the last of those 3 academic years; divided by

15 “(B) the percentage increase in the Con-
16 sumer Price Index—All Urban Consumers
17 (Current Series) from July of the first of those
18 3 academic years to July of the last of those 3
19 academic years.

20 “(f) OUTCOMES AND ACTIONS.—

21 “(1) RESPONSE FROM INSTITUTION.—Effective
22 on June 30, 2009, an institution that has a college
23 affordability index that exceeds 2.0 for any 3-year
24 interval ending on or after that date shall provide a
25 report to the Secretary, in such a form, at such



1 time, and containing such information as the Sec-
2 retary may require. Such report shall include—

3 “(A) an explanation of the factors contrib-
4 uting to the increase in the institution’s costs
5 and in the tuition and fees charged to students;

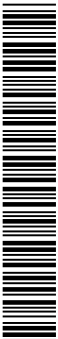
6 “(B) a management plan stating the spe-
7 cific steps the institution is and will be taking
8 to reduce its college affordability index;

9 “(C) an action plan, including a schedule,
10 by which the institution will reduce increases in
11 or stabilize, such costs and tuition and fees; and

12 “(D) if determinations of tuition and fee
13 increases are not within the exclusive control of
14 the institution, a description of the agency or
15 instrumentality of State government or other
16 entity that participates in such determinations
17 and the authority exercised by such agency, in-
18 strumentality, or entity.

19 “(2) INFORMATION TO THE PUBLIC.—Upon re-
20 ceipt of the institution’s report and management
21 plan under paragraph (1), the Secretary shall make
22 the institution’s report required under paragraph (1)
23 available to the public in accordance with subsection
24 (b).

25 “(3) QUALITY-EFFICIENCY TASK FORCES.—

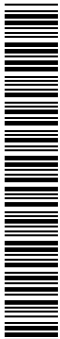


1 “(A) REQUIRED.—Each institution subject
2 to paragraph (1) that has a college affordability
3 index that is in the highest 25 percent of such
4 indexes of all institutions subject to paragraph
5 (1) shall establish a quality-efficiency task force
6 to review the operations of such institution.

7 “(B) MEMBERSHIP.—Such task force shall
8 include administrators and business and civic
9 leaders and may include faculty, students,
10 trustees, parents of students, and alumni of
11 such institution.

12 “(C) FUNCTIONS.—Such task force shall
13 analyze institutional operating costs in compari-
14 son with such costs at other institutions within
15 the class of institutions. Such analysis should
16 identify areas where, in comparison with other
17 institutions in such class, the institution oper-
18 ates more expensively to produce a similar re-
19 sult. Any identified areas should then be tar-
20 geted for in-depth analysis for cost reduction
21 opportunities.

22 “(D) REPORT.—The results of the analysis
23 by a quality-efficiency task force under this
24 paragraph shall be included in the report to the
25 Secretary under paragraph (1).



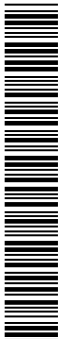
1 “(4) CONSEQUENCES FOR 2-YEAR CONTINU-
2 ATION OF FAILURE.—If the Secretary determines
3 that the institution has failed to comply with the
4 management plan and action plan submitted by the
5 institution under this subsection following the next
6 2 academic years that begin after the submission of
7 such plans, and has failed to reduce the college af-
8 fordability index below 2.0 for such 2 academic
9 years, the Secretary—

10 “(A) shall make available to the public a
11 detailed report provided by the institution on all
12 costs and expenditures, and on all tuition and
13 fees charged to students, for such 2 academic
14 years;

15 “(B) shall place the institution on an af-
16 fordability alert status and shall make the in-
17 formation regarding the institution’s failure
18 available in accordance with subsection (d);

19 “(C) shall notify the institution’s accred-
20 iting agency of the institution’s failure; and

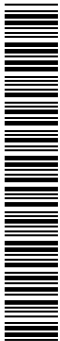
21 “(D) may require the institution to submit
22 to a review and audit by the Inspector General
23 of the Department of Education to determine
24 the cause of the institution’s failure.



1 “(5) INFORMATION TO STATE AGENCIES.—Any
2 institution that reports under paragraph (1)(C) that
3 an agency or instrumentality of State government or
4 other entity participates in the determinations of tui-
5 tion and fee increases shall, prior to submitting any
6 information to the Secretary under this subsection,
7 submit such information to, and request the com-
8 ments and input of, such agency, instrumentality, or
9 entity. With respect to any such institution, the Sec-
10 retary shall provide a copy of any communication by
11 the Secretary with that institution to such agency,
12 instrumentality, or entity.

13 “(6) EXEMPTIONS.—

14 “(A) RELATIVE PRICE EXEMPTION.—The
15 Secretary shall, for any 3-year interval for
16 which college affordability indexes are computed
17 under paragraph (1), determine and publish the
18 dollar amount that, for each class of institution
19 described in paragraph (7) represents the max-
20 imum tuition and fees charged for a full-time
21 undergraduate student in the least costly quar-
22 tile of institutions within each such class during
23 the last year of such 3-year interval. An institu-
24 tion that has a college affordability index com-
25 puted under paragraph (1) that exceeds 2.0 for



1 any such 3-year interval, but that, on average
2 during such 3-year interval, charges less than
3 such maximum tuition and fees shall not be
4 subject to the actions required by subparagraph
5 (B) or (C) of paragraph (1), or any action
6 under paragraph (4), unless such institution,
7 for a subsequent 3-year interval, charges more
8 than such maximum tuition and fees.

9 “(B) DOLLAR INCREASE EXEMPTION.—An
10 institution that has a college affordability index
11 computed under paragraph (1) that exceeds 2.0
12 for any 3-year interval, but that exceeds such
13 2.0 by a dollar amount that is less than \$500,
14 shall not be subject to the actions required by
15 subparagraph (B) or (C) of paragraph (1), or
16 any action under paragraph (4), unless such in-
17 stitution has a college affordability index for a
18 subsequent 3-year interval that exceeds 2.0 by
19 more than such dollar amount.

20 “(7) CLASSES OF INSTITUTIONS.—For purposes
21 of this subsection, the classes of institutions shall be
22 those sectors used by the Integrated Postsecondary
23 Education Data System, based on whether the insti-
24 tution is public, nonprofit private, or for-profit pri-



1 vate, and whether the institution has a 4-year, 2-
2 year, or less than 2-year program of instruction.

3 “(g) FINES.—In addition to actions authorized in
4 section 487(c), the Secretary may impose a fine in an
5 amount not to exceed \$25,000 on an institution of higher
6 education for failing to provide the information described
7 in this section in a timely and accurate manner, or for
8 failing to otherwise cooperate with the National Center for
9 Education Statistics regarding efforts to obtain data on
10 the cost and price of higher education under this section
11 and pursuant to the program participation agreement en-
12 tered into under section 487.

13 “(h) GAO STUDY AND REPORT.—

14 “(1) GAO STUDY.—The Comptroller General
15 shall conduct a study of the policies and procedures
16 implemented by institutions in increasing the afford-
17 ability of postsecondary education. Such study shall
18 include information with respect to—

19 “(A) a list of those institutions that—

20 “(i) have reduced their college afford-
21 ability indexes; or

22 “(ii) are, as determined under sub-
23 section (f)(6)(A), within the least costly
24 quartile of institutions within each class
25 described in subsection (f)(7);



1 “(B) policies implemented to stem the in-
2 crease in tuition and fees and institutional
3 costs;

4 “(C) the extent to which room and board
5 costs and prices changed;

6 “(D) the extent to which other services
7 were altered to affect tuition and fees;

8 “(E) the extent to which the institution’s
9 policies affected student body demographics and
10 time to completion;

11 “(F) what, if any, operational factors
12 played a role in reducing tuition and fees;

13 “(G) the extent to which academic quality
14 was affected, and how;

15 “(H) the extent to which policies and prac-
16 tices reducing costs and prices may be rep-
17 licated from one institution to another; and

18 “(I) other information as necessary to de-
19 termine best practices in increasing the afford-
20 ability of postsecondary education.

21 “(2) INTERIM AND FINAL REPORTS.—The
22 Comptroller General shall submit an interim and a
23 final report regarding the findings of the study re-
24 quired by paragraph (1) to the appropriate author-
25 izing committees of Congress. The interim report



1 shall be submitted not later than July 31, 2011, and
2 the final report shall be submitted not later than
3 July 31, 2013.

4 “(i) STUDENT AID RECIPIENT SURVEY.—

5 “(1) SURVEY REQUIRED.—The Secretary shall
6 conduct a survey of student aid recipients under title
7 IV on a regular cycle and State-by-State basis, but
8 not less than once every 4 years—

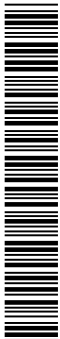
9 “(A) to identify the population of students
10 receiving Federal student aid;

11 “(B) to describe the income distribution
12 and other socioeconomic characteristics of fed-
13 erally aided students;

14 “(C) to describe the combinations of aid
15 from State, Federal, and private sources re-
16 ceived by students from all income groups;

17 “(D) to describe the debt burden of edu-
18 cational loan recipients and their capacity to
19 repay their education debts, and the impact of
20 such debt burden on career choices;

21 “(E) to describe the role played by the
22 price of postsecondary education in the deter-
23 mination by students of what institution to at-
24 tend; and



1 “(F) to describe how the increased costs of
2 textbooks and other instructional materials af-
3 fects the costs of postsecondary education to
4 students.

5 “(2) SURVEY DESIGN.—The survey shall be
6 representative of full-time and part-time, under-
7 graduate, graduate, and professional and current
8 and former students in all types of institutions, and
9 designed and administered in consultation with the
10 Congress and the postsecondary education commu-
11 nity.

12 “(3) DISSEMINATION.—The Secretary shall dis-
13 seminate the information resulting from the survey
14 in both printed and electronic form.

15 “(j) REGULATIONS.—The Secretary is authorized to
16 issue such regulations as may be necessary to carry out
17 the provisions of this section.”.

18 **SEC. 109. DATABASES OF STUDENT INFORMATION.**

19 Part C of title I is further amended by adding at the
20 end the following new section:

21 **“SEC. 132. DATABASES OF STUDENT INFORMATION PRO-**
22 **HIBITED.**

23 “(a) PROHIBITION.—Except as described in (b),
24 nothing in this Act shall be construed to authorize the de-
25 sign, development, creation, implementation, or mainte-



1 nance of a nationwide database of personally identifiable
2 information on individuals receiving assistance, attending
3 institutions receiving assistance, or otherwise involved in
4 any studies or other collections of data under this Act,
5 including a student unit record system, an education bar
6 code system, or any other system that tracks individual
7 students over time.

8 “(b) EXCEPTION.—The provisions of subsection (a)
9 shall not affect the loan obligation enforcement activities
10 described in section 485B of this Act.”.

11 **SEC. 110. PERFORMANCE-BASED ORGANIZATION.**

12 Section 141 (20 U.S.C. 1018) is amended—

13 (1) in subsection (a)(2)(B)—

14 (A) by inserting “unit” after “to reduce
15 the”; and

16 (B) by inserting “and, to the extent prac-
17 ticable, the total costs of administering those
18 programs” after “those programs”;

19 (2) in subsection (c)—

20 (A) in paragraph (1)(A), by striking “Each
21 year” and inserting “Each fiscal year”;

22 (B) in paragraph (1)(B), by inserting “sec-
23 ondary markets, guaranty agencies,” after
24 “lenders,”; and



1 (C) in paragraph (2)(B), by striking
2 “Chief Financial Officer Act of 1990 and” and
3 inserting “Chief Financial Officers Act of
4 1990,” and by inserting before the period at the
5 end the following: “, and other relevant stat-
6 utes”; and

7 (3) in subsection (f)(3)(A), by striking “para-
8 graph (1)(A)” and inserting “paragraph (1)”.

9 **TITLE II—TEACHER**
10 **PREPARATION**

11 **SEC. 201. TEACHER QUALITY ENHANCEMENT GRANTS.**

12 Part A of title II (20 U.S.C. 1021 et seq.) is amended
13 to read as follows:

14 **“PART A—TEACHER QUALITY ENHANCEMENT**
15 **GRANTS FOR STATES AND PARTNERSHIPS**

16 **“SEC. 201. PURPOSES; DEFINITIONS.**

17 “(a) PURPOSES.—The purposes of this part are to—

18 “(1) improve student academic achievement;

19 “(2) improve the quality of the current and fu-
20 ture teaching force by improving the preparation of
21 prospective teachers and enhancing professional de-
22 velopment activities;

23 “(3) hold institutions of higher education ac-
24 countable for preparing highly qualified teachers;
25 and



1 “(4) recruit qualified individuals, including mi-
2 norities and individuals from other occupations, into
3 the teaching force.

4 “(b) DEFINITIONS.—In this part:

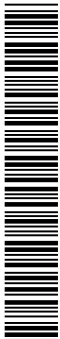
5 “(1) ARTS AND SCIENCES.—The term ‘arts and
6 sciences’ means—

7 “(A) when referring to an organizational
8 unit of an institution of higher education, any
9 academic unit that offers one or more academic
10 majors in disciplines or content areas cor-
11 responding to the academic subject matter
12 areas in which teachers provide instruction; and

13 “(B) when referring to a specific academic
14 subject matter area, the disciplines or content
15 areas in which academic majors are offered by
16 the arts and science organizational unit.

17 “(2) EXEMPLARY TEACHER.—The term ‘exem-
18 plary teacher’ has the meaning given such term in
19 section 9101 of the Elementary and Secondary Edu-
20 cation Act of 1965 (20 U.S.C. 7801).

21 “(3) HIGHLY QUALIFIED.—The term ‘highly
22 qualified’ when used with respect to an individual
23 means that the individual is highly qualified as de-
24 termined under section 9101 of the Elementary and
25 Secondary Education Act of 1965 (20 U.S.C. 7801)



1 or section 602 of the Individuals with Disabilities
2 Education Act (20 U.S.C. 1401).

3 “(4) HIGH-NEED LOCAL EDUCATIONAL AGEN-
4 CY.—The term ‘high-need local educational agency’
5 means a local educational agency—

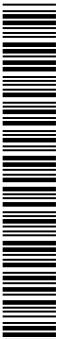
6 “(A)(i)(I) that serves not fewer than
7 10,000 children from families with incomes
8 below the poverty line; or

9 “(II) for which not less than 25 percent of
10 the children served by the agency are from fam-
11 ilies with incomes below the poverty line;

12 “(ii) that is among those serving the high-
13 est number or percentage of children from fam-
14 ilies with incomes below the poverty line in the
15 State, but this clause applies only in a State
16 that has no local educational agency meeting
17 the requirements of clause (i); or

18 “(iii) with a total of less than 600 students
19 in average daily attendance at the schools that
20 are served by the agency and all of whose
21 schools are designated with a school locale code
22 of 7, as determined by the Secretary; and

23 “(B)(i) for which there is a high percent-
24 age of teachers not teaching in the academic



1 subjects or grade levels that the teachers were
2 trained to teach; or

3 “(ii) for which there is a high percentage
4 of teachers with emergency, provisional, or tem-
5 porary certification or licensing.

6 “(5) POVERTY LINE.—The term ‘poverty line’
7 means the poverty line (as defined by the Office of
8 Management and Budget, and revised annually in
9 accordance with section 673(2) of the Community
10 Services Block Grant Act (42 U.S.C. 9902(2))) ap-
11 plicable to a family of the size involved.

12 “(6) PROFESSIONAL DEVELOPMENT.—The
13 term ‘professional development’ has the meaning
14 given such term in section 9101 of the Elementary
15 and Secondary Education Act of 1965 (20 U.S.C.
16 7801).

17 “(7) SCIENTIFICALLY BASED READING RE-
18 SEARCH.—The term ‘scientifically based reading re-
19 search’ has the meaning given such term in section
20 1208 of the Elementary and Secondary Education
21 Act of 1965 (20 U.S.C. 6368).

22 “(8) SCIENTIFICALLY BASED RESEARCH.—The
23 term ‘scientifically based research’ has the meaning
24 given such term in section 9101 of the Elementary



1 and Secondary Education Act of 1965 (20 U.S.C.
2 7801).

3 “(9) TEACHING SKILLS.—The term ‘teaching
4 skills’ means skills that—

5 “(A) are based on scientifically based re-
6 search;

7 “(B) enable teachers to effectively convey
8 and explain subject matter content;

9 “(C) lead to increased student academic
10 achievement; and

11 “(D) use strategies that—

12 “(i) are specific to subject matter;

13 “(ii) include ongoing assessment of
14 student learning;

15 “(iii) focus on identification and tai-
16 loring of academic instruction to students’s
17 specific learning needs; and

18 “(iv) focus on classroom management.

19 **“SEC. 202. STATE GRANTS.**

20 “(a) IN GENERAL.—From amounts made available
21 under section 210(1) for a fiscal year, the Secretary is
22 authorized to award grants under this section, on a com-
23 petitive basis, to eligible States to enable the eligible
24 States to carry out the activities described in subsection
25 (d).



1 “(b) ELIGIBLE STATE.—

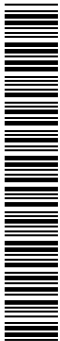
2 “(1) DEFINITION.—In this part, the term ‘eligi-
3 ble State’ means—

4 “(A) the Governor of a State; or

5 “(B) in the case of a State for which the
6 constitution or law of such State designates an-
7 other individual, entity, or agency in the State
8 to be responsible for teacher certification and
9 preparation activity, such individual, entity, or
10 agency.

11 “(2) CONSULTATION.—The Governor or the in-
12 dividual, entity, or agency designated under para-
13 graph (1)(B) shall consult with the Governor, State
14 board of education, State educational agency, State
15 agency for higher education, or State agency respon-
16 sible for early childhood education and programs, as
17 appropriate, with respect to the activities assisted
18 under this section.

19 “(3) CONSTRUCTION.—Nothing in this sub-
20 section shall be construed to negate or supersede the
21 legal authority under State law of any State agency,
22 State entity, or State public official over programs
23 that are under the jurisdiction of the agency, entity,
24 or official.



1 “(c) APPLICATION.—To be eligible to receive a grant
2 under this section, an eligible State shall submit an appli-
3 cation to the Secretary that—

4 “(1) meets the requirement of this section;

5 “(2) demonstrates that the State is in full com-
6 pliance with sections 207 and 208;

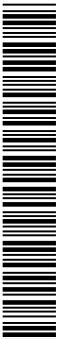
7 “(3) includes a description of how the eligible
8 State intends to use funds provided under this sec-
9 tion;

10 “(4) includes measurable objectives for the use
11 of the funds provided under the grant;

12 “(5) demonstrates the State has submitted and
13 is actively implementing a plan that meets the re-
14 quirements of sections 1111(h)(1)(C)(viii) and 1119
15 of the Elementary and Secondary Education Act of
16 1965 (20 U.S.C. 6311(h)(1)(C)(viii) and 6319); and

17 “(6) contains such other information and assur-
18 ances as the Secretary may require.

19 “(d) USES OF FUNDS.—An eligible State that re-
20 ceives a grant under this section shall use the grant funds
21 to reform teacher preparation requirements, to coordinate
22 with State activities under section 2113(c) of the Elemen-
23 tary and Secondary Education Act of 1965 (20 U.S.C.
24 6613(c)), and to ensure that current and future teachers



1 are highly qualified, by carrying out one or more of the
2 following activities:

3 “(1) REFORMS.—Ensuring that all teacher
4 preparation programs in the State are preparing
5 teachers who are highly qualified, are able to under-
6 stand scientifically based research and its applica-
7 bility, and are able to use advanced technology effec-
8 tively in the classroom, including use for instruc-
9 tional techniques to improve student academic
10 achievement, by assisting such programs—

11 “(A) to retrain faculty; and

12 “(B) to design (or redesign) teacher prepa-
13 ration programs so they—

14 “(i) are based on rigorous academic
15 content, scientifically based research (in-
16 cluding scientifically based reading re-
17 search), and challenging State student aca-
18 demic content standards; and

19 “(ii) promote strong teaching skills.

20 “(2) CERTIFICATION OR LICENSURE REQUIRE-
21 MENTS.—Reforming teacher certification (including
22 recertification) or licensing requirements to ensure
23 that—

24 “(A) teachers have the subject matter
25 knowledge and teaching skills in the academic



1 subjects that the teachers teach that are nec-
2 essary to help students meet challenging State
3 student academic achievement standards; and

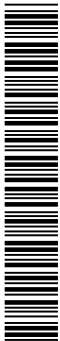
4 “(B) such requirements are aligned with
5 challenging State academic content standards.

6 “(3) ALTERNATIVES TO TRADITIONAL TEACHER
7 PREPARATION AND STATE CERTIFICATION.—Pro-
8 viding prospective teachers with alternative routes to
9 State certification and traditional preparation to be-
10 come highly qualified teachers through—

11 “(A) innovative approaches that reduce un-
12 necessary barriers to State certification while
13 producing highly qualified teachers, which may
14 include articulation agreements between institu-
15 tions of higher education;

16 “(B) programs that provide support to
17 teachers during their initial years in the profes-
18 sion; and

19 “(C) alternative routes to State certifi-
20 cation of teachers for qualified individuals, in-
21 cluding mid-career professionals from other oc-
22 cupations, former military personnel, and recent
23 college graduates with records of academic dis-
24 tinction.



1 “(4) INNOVATIVE PROGRAMS.—Planning and
2 implementing innovative programs to enhance the
3 ability of institutions of higher education to prepare
4 highly qualified teachers, such as charter colleges of
5 education or university and local educational agency
6 partnership schools, that—

7 “(A) permit flexibility in meeting State re-
8 quirements as long as graduates, during their
9 initial years in the profession, increase student
10 academic achievement;

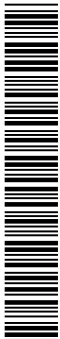
11 “(B) provide long-term data gathered from
12 teachers’ performance over multiple years in the
13 classroom on the ability to increase student aca-
14 demic achievement;

15 “(C) ensure high-quality preparation of
16 teachers from underrepresented groups; and

17 “(D) create performance measures that
18 can be used to document the effectiveness of in-
19 novative methods for preparing highly qualified
20 teachers.

21 “(5) MERIT PAY.—Developing, or assisting
22 local educational agencies in developing—

23 “(A) merit-based performance systems that
24 reward teachers who increase student academic
25 achievement; and



1 “(B) strategies that provide differential
2 and bonus pay in high-need local educational
3 agencies to retain—

4 “(i) principals;

5 “(ii) highly qualified teachers who
6 teach in high-need academic subjects, such
7 as reading, mathematics, and science;

8 “(iii) highly qualified teachers who
9 teach in schools identified for school im-
10 provement under section 1116(b) of the
11 Elementary and Secondary Education Act
12 of 1965 (20 U.S.C. 6316(b));

13 “(iv) special education teachers;

14 “(v) teachers specializing in teaching
15 limited English proficient children; and

16 “(vi) highly qualified teachers in
17 urban and rural schools or districts.

18 “(6) TEACHER ADVANCEMENT.—Developing, or
19 assisting local educational agencies in developing,
20 teacher advancement and retention initiatives that
21 promote professional growth and emphasize multiple
22 career paths (such as paths to becoming a highly
23 qualified mentor teacher or exemplary teacher) and
24 pay differentiation.



1 “(7) TEACHER REMOVAL.—Developing and im-
2 plementing effective mechanisms to ensure that local
3 educational agencies and schools are able to remove
4 expeditiously incompetent or unqualified teachers
5 consistent with procedures to ensure due process for
6 the teachers.

7 “(8) TECHNICAL ASSISTANCE.—Providing tech-
8 nical assistance to low-performing teacher prepara-
9 tion programs within institutions of higher education
10 identified under section 208(a).

11 “(9) TEACHER EFFECTIVENESS.—Developing—

12 “(A) systems to measure the effectiveness
13 of teacher preparation programs and profes-
14 sional development programs; and

15 “(B) strategies to document gains in stu-
16 dent academic achievement or increases in
17 teacher mastery of the academic subjects the
18 teachers teach as a result of such programs.

19 “(10) TEACHER RECRUITMENT AND RETEN-
20 TION.—Undertaking activities that—

21 “(A) develop and implement effective
22 mechanisms to ensure that local educational
23 agencies and schools are able effectively to re-
24 cruit and retain highly qualified teachers; or

25 “(B) are described in section 204(d).



1 “(11) EARLY CHILDHOOD EDUCATOR.—Devel-
2 oping strategies—

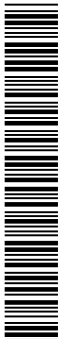
3 “(A) to improve the qualifications of pre-
4 school teachers, which may include State certifi-
5 cation for such teachers;

6 “(B) to improve and expand preschool
7 teacher preparation programs; and

8 “(C) to reduce unnecessary burdens to the
9 attainment of a bachelor’s degree in early child-
10 hood education and increase the number of bi-
11 lingual early childhood educators, which may in-
12 clude developing articulation agreements be-
13 tween institutions of higher education.

14 “(12) GIFTED AND TALENTED STUDENTS.—In-
15 corporating the learning needs of gifted and talented
16 students into the activities described in paragraph
17 (1), (2), or (3) in order to ensure that new teachers
18 possess the basic knowledge and skills necessary to
19 meet the educational needs of gifted and talented
20 students.

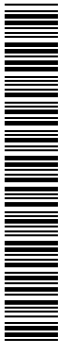
21 “(13) NEW-TEACHER MENTORING ON THE
22 NEEDS OF GIFTED AND TALENTED STUDENTS.—
23 Establishing or expanding new-teacher mentoring
24 and assessment programs (including induction and
25 evaluation programs) that are a part of a licensure



1 process which is designed to demonstrate that new
2 teachers possess basic knowledge of the classroom
3 indicators of giftedness, are able to identify student
4 learning differences among gifted students, and are
5 able to provide instruction to accommodate such dif-
6 ferences.

7 “(14) SPECIAL EDUCATION, MATH, AND
8 SCIENCE FACULTY.—Supporting the development of
9 new special education, math, and science faculty po-
10 sitions in institutions of higher education dedicated
11 to the preparation of highly qualified special edu-
12 cation, math, and science teachers (as defined by
13 section 9101 of the Elementary and Secondary Edu-
14 cation Act or section 602 of the Individuals with
15 Disabilities Education Act), with matching funds
16 from institutions of higher education and a commit-
17 ment to continue new faculty positions when Federal
18 funding ends.

19 “(15) SUBJECT AREA EVALUATION.—Assessing
20 the performance of teacher preparation programs
21 within institutions of higher education in the State
22 using an assessment which provides comparisons
23 across such schools in the State based upon indica-
24 tors including teacher candidate knowledge in sub-
25 ject areas in which such candidate has been pre-



1 pared to teach. Such information shall be made pub-
2 licly available and widely disseminated.

3 “(e) EVALUATION.—

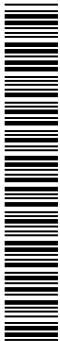
4 “(1) EVALUATION SYSTEM.—An eligible State
5 that receives a grant under this section shall develop
6 and utilize a system to evaluate annually the effec-
7 tiveness of teacher preparation programs and profes-
8 sional development activities within the State in pro-
9 ducing gains in—

10 “(A) the teacher’s annual contribution to
11 improving student academic achievement, as
12 measured by State academic assessments re-
13 quired under section 1111(b)(3) of the Elemen-
14 tary and Secondary Education Act of 1965 (20
15 U.S.C. 6311(b)(3)); and

16 “(B) teacher mastery of the academic sub-
17 jects they teach, as measured by pre- and post-
18 participation tests of teacher knowledge, as ap-
19 propriate.

20 “(2) USE OF EVALUATION SYSTEM.—Such eval-
21 uation system shall be used by the State to
22 evaluate—

23 “(A) activities carried out using funds pro-
24 vided under this section; and



1 “(B) the quality of its teacher education
2 programs.

3 “(3) PUBLIC REPORTING.—The State shall
4 make the information described in paragraph (1)
5 widely available through public means, such as post-
6 ing on the Internet, distribution to the media, and
7 distribution through public agencies.

8 **“SEC. 203. PARTNERSHIP GRANTS.**

9 “(a) GRANTS.—From amounts made available under
10 section 210(2) for a fiscal year, the Secretary is author-
11 ized to award grants under this section, on a competitive
12 basis, to eligible partnerships to enable the eligible part-
13 nerships to carry out the activities described in subsections
14 (d) and (e).

15 “(b) DEFINITIONS.—

16 “(1) ELIGIBLE PARTNERSHIPS.—In this part,
17 the term ‘eligible partnership’ means an entity
18 that—

19 “(A) shall include—

20 “(i) a partner institution;

21 “(ii) a school of arts and sciences;

22 “(iii) a high-need local educational
23 agency; and

24 “(iv) a public or private educational
25 organization; and

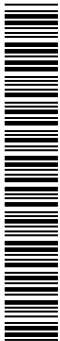


1 “(B) may include a Governor, State edu-
2 cational agency, the State board of education,
3 the State agency for higher education, an insti-
4 tution of higher education not described in sub-
5 paragraph (A), a public charter school, a public
6 or private elementary school or secondary
7 school, a public or private educational organiza-
8 tion, a business, a science-, mathematics-, or
9 technology-oriented entity, a faith-based or
10 community organization, a prekindergarten pro-
11 gram, a teacher organization, an education
12 service agency, a consortia of local educational
13 agencies, or a nonprofit telecommunications en-
14 tity.

15 “(2) PARTNER INSTITUTION.—In this section,
16 the term ‘partner institution’ means an institution of
17 higher education, the teacher training program of
18 which demonstrates that—

19 “(A) graduates from the teacher training
20 program exhibit strong performance on State-
21 determined qualifying assessments for new
22 teachers through—

23 “(i) demonstrating that the graduates
24 of the program who intend to enter the
25 field of teaching have passed all of the ap-



1 plicable State qualification assessments for
2 new teachers, which shall include an as-
3 sessment of each prospective teacher's sub-
4 ject matter knowledge in the content area
5 or areas in which the teacher intends to
6 teach; or

7 “(ii) being ranked among the highest-
8 performing teacher preparation programs
9 in the State as determined by the State—

10 “(I) using criteria consistent with
11 the requirements for the State report
12 card under section 207(a); and

13 “(II) using the State report card
14 on teacher preparation required under
15 section 207(a); or

16 “(B) the teacher training program requires
17 all the students of the program to participate in
18 intensive clinical experience, to meet high aca-
19 demic standards, and—

20 “(i) in the case of secondary school
21 candidates, to successfully complete an
22 academic major in the subject area in
23 which the candidate intends to teach or to
24 demonstrate competence through a high



1 level of performance in relevant content
2 areas; and

3 “(ii) in the case of elementary school
4 candidates, to successfully complete an
5 academic major in the arts and sciences or
6 to demonstrate competence through a high
7 level of performance in core academic sub-
8 ject areas.

9 “(c) APPLICATION.—Each eligible partnership desir-
10 ing a grant under this section shall submit an application
11 to the Secretary at such time, in such manner, and accom-
12 panied by such information as the Secretary may require.
13 Each such application shall—

14 “(1) contain a needs assessment of all the part-
15 ners with respect to teaching and learning and a de-
16 scription of how the partnership will coordinate with
17 other teacher training or professional development
18 programs, and how the activities of the partnership
19 will be consistent with State, local, and other edu-
20 cation reform activities that promote student aca-
21 demic achievement;

22 “(2) contain a resource assessment that de-
23 scribes the resources available to the partnership,
24 the intended use of the grant funds, including a de-
25 scription of how the grant funds will be used in ac-



1 cordance with subsection (f), and the commitment of
2 the resources of the partnership to the activities as-
3 sisted under this part, including financial support,
4 faculty participation, time commitments, and con-
5 tinuation of the activities when the grant ends;

6 “(3) contain a description of—

7 “(A) how the partnership will meet the
8 purposes of this part;

9 “(B) how the partnership will carry out
10 the activities required under subsection (d) and
11 any permissible activities under subsection (e);

12 “(C) the partnership’s evaluation plan pur-
13 suant to section 206(b);

14 “(D) how faculty of the teacher prepara-
15 tion program at the partner institution will
16 serve, over the term of the grant, with highly
17 qualified teachers in the classrooms of the high-
18 need local educational agency included in the
19 partnership;

20 “(E) how the partnership will ensure that
21 teachers, principals, and superintendents in pri-
22 vate elementary and secondary schools located
23 in the geographic areas served by an eligible
24 partnership under this section will participate
25 equitably in accordance with section 9501 of



1 the Elementary and Secondary Education Act
2 of 1965 (20 U.S.C. 7881);

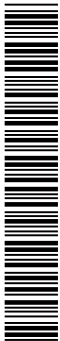
3 “(F) how the partnership will design and
4 implement a clinical program component that
5 includes close supervision of student teachers by
6 faculty of the teacher preparation program at
7 the partner institution and mentor teachers;

8 “(G) how the partnership will design and
9 implement an induction program to support all
10 new teachers through the first 3 years of teach-
11 ing that includes mentors who are trained and
12 compensated by the partnership for their work
13 with new teachers; and

14 “(H) how the partnership will collect, ana-
15 lyze, and use data on the retention of all teach-
16 ers in schools located in the geographic areas
17 served by the partnership to evaluate the effec-
18 tiveness of its teacher support system; and

19 “(4) contain a certification from the high-need
20 local educational agency included in the partnership
21 that it has reviewed the application and determined
22 that the grant proposed will comply with subsection
23 (f).

24 “(d) REQUIRED USES OF FUNDS.—An eligible part-
25 nership that receives a grant under this section shall use



1 the grant funds to reform teacher preparation require-
2 ments, to coordinate with State activities under section
3 2113(c) of the Elementary and Secondary Education Act
4 of 1965 (20 U.S.C. 6613(c)), and to ensure that current
5 and future teachers are highly qualified, by carrying out
6 one or more of the following activities:

7 “(1) REFORMS.—Implementing reforms within
8 teacher preparation programs to ensure that such
9 programs are preparing teachers who are highly
10 qualified, are able to understand scientifically based
11 research and its applicability, and are able to use
12 advanced technology effectively in the classroom, in-
13 cluding use for instructional techniques to improve
14 student academic achievement, by—

15 “(A) retraining faculty; and

16 “(B) designing (or redesigning) teacher
17 preparation programs so they—

18 “(i) are based on rigorous academic
19 content, scientifically based research (in-
20 cluding scientifically based reading re-
21 search), and challenging State student aca-
22 demic content standards; and

23 “(ii) promote strong teaching skills.

24 “(2) CLINICAL EXPERIENCE AND INTER-
25 ACTION.—Providing sustained and high-quality

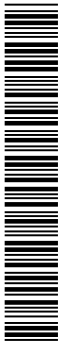


1 preservice and in-service clinical experience, includ-
2 ing the mentoring of prospective teachers by exem-
3 plary teachers, substantially increasing interaction
4 between faculty at institutions of higher education
5 and new and experienced teachers, principals, and
6 other administrators at elementary schools or sec-
7 ondary schools, and providing support for teachers,
8 including preparation time and release time, for such
9 interaction.

10 “(3) PROFESSIONAL DEVELOPMENT.—Creating
11 opportunities for enhanced and ongoing professional
12 development that improves the academic content
13 knowledge of teachers in the subject areas in which
14 the teachers are certified to teach or in which the
15 teachers are working toward certification to teach,
16 and that promotes strong teaching skills.

17 “(4) TEACHER PREPARATION.—Developing, or
18 assisting local educational agencies in developing,
19 professional development activities that—

20 “(A) provide training in how to teach and
21 address the needs of students with different
22 learning styles, particularly students with dis-
23 abilities, limited English proficient students,
24 gifted and talented students, and students with
25 special learning needs; and



1 “(B) provide training in methods of—
2 “(i) improving student behavior in the
3 classroom; and
4 “(ii) identifying early and appropriate
5 interventions to help students described in
6 subparagraph (A) learn.

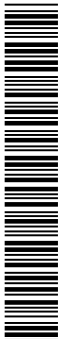
7 “(e) ALLOWABLE USES OF FUNDS.—An eligible
8 partnership that receives a grant under this section may
9 use such funds to carry out the following activities:

10 “(1) ALTERNATIVES TO TRADITIONAL TEACHER
11 PREPARATION AND STATE CERTIFICATION.—Pro-
12 viding prospective teachers with alternative routes to
13 State certification and traditional preparation to be-
14 come highly qualified teachers through—

15 “(A) innovative approaches that reduce un-
16 necessary barriers to teacher preparation pro-
17 ducing highly qualified teachers, which may in-
18 clude articulation agreements between institu-
19 tions of higher education;

20 “(B) programs that provide support during
21 a teacher’s initial years in the profession; and

22 “(C) alternative routes to State certifi-
23 cation of teachers for qualified individuals, in-
24 cluding mid-career professionals from other oc-
25 cupations, former military personnel, and recent



1 college graduates with records of academic dis-
2 tinction.

3 “(2) DISSEMINATION AND COORDINATION.—

4 Broadly disseminating information on effective prac-
5 tices used by the partnership, and coordinating with
6 the activities of the Governor, State board of edu-
7 cation, State higher education agency, and State
8 educational agency, as appropriate.

9 “(3) MANAGERIAL AND LEADERSHIP SKILLS.—

10 Developing and implementing professional develop-
11 ment programs for principals and superintendents
12 that enable them to be effective school leaders and
13 prepare all students to meet challenging State aca-
14 demic content and student academic achievement
15 standards.

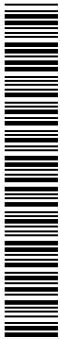
16 “(4) TEACHER RECRUITMENT.—Activities—

17 “(A) to encourage students to become
18 highly qualified teachers, such as extra-
19 curricular enrichment activities; and

20 “(B) activities described in section 204(d).

21 “(5) CLINICAL EXPERIENCE IN SCIENCE, MATH-

22 EMATICS, AND TECHNOLOGY.—Creating opportuni-
23 ties for clinical experience and training, by partici-
24 pation in the business, research, and work environ-
25 ments with professionals, in areas relating to



1 science, mathematics, and technology for teachers
2 and prospective teachers, including opportunities for
3 use of laboratory equipment, in order for the teacher
4 to return to the classroom for at least 2 years and
5 provide instruction that will raise student academic
6 achievement.

7 “(6) COORDINATION WITH COMMUNITY COL-
8 LEGES.—Coordinating with community colleges to
9 implement teacher preparation programs, including
10 through distance learning or articulation agree-
11 ments, for the purposes of allowing prospective
12 teachers—

13 “(A) to attain a bachelor’s degree and
14 State certification or licensure; and

15 “(B) to become highly qualified teachers.

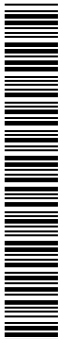
16 “(7) TEACHER MENTORING.—Establishing or
17 implementing a teacher mentoring program that—

18 “(A) includes minimum qualifications for
19 mentors;

20 “(B) provides training and stipends for
21 mentors;

22 “(C) provides mentoring programs for
23 teachers in their first 3 years of teaching;

24 “(D) provides regular and ongoing oppor-
25 tunities for mentors and mentees to observe



1 each other's teaching methods in classroom set-
2 tings during the school day;

3 “(E) establishes an evaluation and ac-
4 countability plan for activities conducted under
5 this paragraph that includes rigorous objectives
6 to measure the impact of such activities; and

7 “(F) provides for a report to the Secretary
8 on an annual basis regarding the partnership's
9 progress in meeting the objectives described in
10 subparagraph (E).

11 “(8) COMPUTER SOFTWARE FOR MULTI-
12 LINGUAL EDUCATION.—Training teachers to use
13 computer software for multilingual education to ad-
14 dress the needs of limited English proficient stu-
15 dents.

16 “(9) GIFTED AND TALENTED STUDENTS.—In-
17 creasing the knowledge and skills of preservice
18 teachers participating in activities under subsection
19 (d) in the educational and related needs of gifted
20 and talented students by, among other strategies, in-
21 fusing teacher coursework with units on the charac-
22 teristics of high-ability learners, using assessments
23 to identify preexisting knowledge and skills among
24 students, and developing teaching strategies that are
25 driven by the learner's progress.

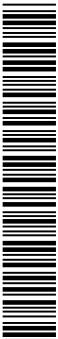


1 “(10) REDUCING THE SHORTAGE OF HIGHLY
2 QUALIFIED SPECIAL EDUCATION, MATH, AND
3 SCIENCE TEACHERS.—Increasing the number of
4 highly qualified special education, math, and science
5 teachers (as defined by section 9101 of the Elemen-
6 tary and Secondary Education Act or section 602 of
7 the Individuals with Disabilities Education Act)
8 through such activities as recruitment, scholarships
9 for tuition, and new teacher mentoring.

10 “(f) SPECIAL RULE.—At least 50 percent of the
11 funds made available to an eligible partnership under this
12 section shall be used directly to benefit the high-need local
13 educational agency included in the partnership. Any entity
14 described in subsection (b)(1)(A) may be the fiscal agent
15 under this section.

16 “(g) CONSTRUCTION.—Nothing in this section shall
17 be construed to prohibit an eligible partnership from using
18 grant funds to coordinate with the activities of more than
19 one Governor, State board of education, State educational
20 agency, local educational agency, or State agency for high-
21 er education.

22 “(h) SUPPLEMENT, NOT SUPPLANT.—Funds made
23 available under this section shall be used to supplement,
24 and not supplant, other Federal, State, and local funds



1 that would otherwise be expended to carry out the pur-
2 poses of this section.

3 **“SEC. 204. TEACHER RECRUITMENT GRANTS.**

4 “(a) PROGRAM AUTHORIZED.—From amounts made
5 available under section 210(3) for a fiscal year, the Sec-
6 retary is authorized to award grants, on a competitive
7 basis, to eligible applicants to enable the eligible applicants
8 to carry out activities described in subsection (d).

9 “(b) ELIGIBLE APPLICANT DEFINED.—In this part,
10 the term ‘eligible applicant’ means—

11 “(1) an eligible State described in section
12 202(b); or

13 “(2) an eligible partnership described in section
14 203(b).

15 “(c) APPLICATION.—Any eligible applicant desiring
16 to receive a grant under this section shall submit an appli-
17 cation to the Secretary at such time, in such form, and
18 containing such information as the Secretary may require,
19 including—

20 “(1) a description of the assessment that the el-
21 igible applicant, and the other entities with whom
22 the eligible applicant will carry out the grant activi-
23 ties, have undertaken to determine the most critical
24 needs of the participating high-need local edu-
25 cational agencies;



1 “(2) a description of the activities the eligible
2 applicant will carry out with the grant, including the
3 extent to which the applicant will use funds to re-
4 cruit minority students to become highly qualified
5 teachers; and

6 “(3) a description of the eligible applicant’s
7 plan for continuing the activities carried out with
8 the grant, once Federal funding ceases.

9 “(d) USES OF FUNDS.—Each eligible applicant re-
10 ceiving a grant under this section shall use the grant
11 funds—

12 “(1)(A) to award scholarships to help students,
13 such as individuals who have been accepted for their
14 first year, or who are enrolled in their first or second
15 year, of a program of undergraduate education at an
16 institution of higher education, pay the costs of tui-
17 tion, room, board, and other expenses of completing
18 a teacher preparation program;

19 “(B) to provide support services, if needed to
20 enable scholarship recipients—

21 “(i) to complete postsecondary education
22 programs; or

23 “(ii) to transition from a career outside of
24 the field of education into a teaching career;
25 and



1 “(C) for followup services provided to former
2 scholarship recipients during the recipients first 3
3 years of teaching; or

4 “(2) to develop and implement effective mecha-
5 nisms to ensure that high-need local educational
6 agencies and schools are able effectively to recruit
7 highly qualified teachers.

8 “(e) ADDITIONAL DISCRETIONARY USES OF
9 FUNDS.—In addition to the uses described in subsection
10 (d), each eligible applicant receiving a grant under this
11 section may use the grant funds—

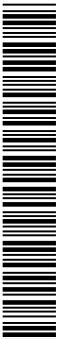
12 “(1) to develop and implement effective mecha-
13 nisms to recruit into the teaching profession employ-
14 ees from—

15 “(A) high-demand industries, including
16 technology industries; and

17 “(B) the fields of science, mathematics,
18 and engineering;

19 “(2) to conduct outreach and coordinate with
20 inner city and rural secondary schools to encourage
21 students to pursue teaching as a career;

22 “(3) to develop and implement dual degree pro-
23 grams that enable students at institutions of higher
24 education to earn two undergraduate degrees con-
25 currently, one of such degrees being in education



1 and the other in the subject matter of the student's
2 choosing; and

3 “(4) to recruit high achieving students, bilin-
4 gual students, and other qualified candidates into
5 early childhood education programs.

6 “(f) SERVICE REQUIREMENTS.—

7 “(1) IN GENERAL.—The Secretary shall estab-
8 lish such requirements as the Secretary determines
9 necessary to ensure that recipients of scholarships
10 under this section who complete teacher education
11 programs—

12 “(A) subsequently teach in a high-need
13 local educational agency for a period of time
14 equivalent to—

15 “(i) one year; increased by

16 “(ii) the period for which the recipient
17 received scholarship assistance; or

18 “(B) repay the amount of the scholarship.

19 “(2) USE OF REPAYMENTS.—The Secretary
20 shall use any such repayments to carry out addi-
21 tional activities under this section.

22 “(g) PRIORITY.—The Secretary shall give priority
23 under this section to eligible applicants who provide an
24 assurance that they will recruit a high percentage of mi-
25 nority students to become highly qualified teachers.



1 **“SEC. 205. ADMINISTRATIVE PROVISIONS.**

2 “(a) DURATION; ONE-TIME AWARDS; PAYMENTS.—

3 “(1) DURATION.—

4 “(A) ELIGIBLE STATES AND ELIGIBLE AP-
5 PLICANTS.—Grants awarded to eligible States
6 and eligible applicants under this part shall be
7 awarded for a period not to exceed 3 years.

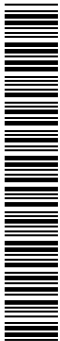
8 “(B) ELIGIBLE PARTNERSHIPS.—Grants
9 awarded to eligible partnerships under this part
10 shall be awarded for a period of 5 years.

11 “(2) ONE-TIME AWARD.—An eligible partner-
12 ship may receive a grant under each of sections 203
13 and 204, as amended by the College Access and Op-
14 portunity Act of 2006, only once.

15 “(3) PAYMENTS.—The Secretary shall make
16 annual payments of grant funds awarded under this
17 part.

18 “(b) PEER REVIEW.—

19 “(1) PANEL.—The Secretary shall provide the
20 applications submitted under this part to a peer re-
21 view panel for evaluation. With respect to each ap-
22 plication, the peer review panel shall initially rec-
23 ommend the application for funding or for dis-
24 approval.



1 “(2) PRIORITY.—In recommending applications
2 to the Secretary for funding under this part, the
3 panel shall—

4 “(A) with respect to grants under section
5 202, give priority to eligible States that—

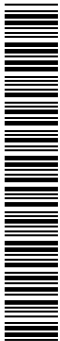
6 “(i) have initiatives to reform State
7 teacher certification requirements that are
8 based on rigorous academic content, sci-
9 entifically based research, including sci-
10 entifically based reading research, and
11 challenging State student academic content
12 standards;

13 “(ii) have innovative reforms to hold
14 institutions of higher education with teach-
15 er preparation programs accountable for
16 preparing teachers who are highly qualified
17 and have strong teaching skills; or

18 “(iii) have innovative efforts aimed at
19 reducing the shortage of highly qualified
20 teachers in high poverty urban and rural
21 areas; and

22 “(B) with respect to grants under section
23 203—

24 “(i) give priority to applications from
25 broad-based eligible partnerships that in-



1 involve businesses and community organiza-
2 tions; and

3 “(ii) take into consideration—

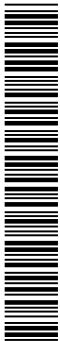
4 “(I) providing an equitable geo-
5 graphic distribution of the grants
6 throughout the United States; and

7 “(II) the potential of the pro-
8 posed activities for creating improve-
9 ment and positive change.

10 “(3) SECRETARIAL SELECTION.—The Secretary
11 shall determine, based on the peer review process,
12 which application shall receive funding and the
13 amounts of the grants. In determining grant
14 amounts, the Secretary shall take into account the
15 total amount of funds available for all grants under
16 this part and the types of activities proposed to be
17 carried out.

18 “(c) MATCHING REQUIREMENTS.—

19 “(1) STATE GRANTS.—Each eligible State re-
20 ceiving a grant under section 202 or 204 shall pro-
21 vide, from non-Federal sources, an amount equal to
22 50 percent of the amount of the grant (in cash or
23 in kind) to carry out the activities supported by the
24 grant.



1 “(2) PARTNERSHIP GRANTS.—Each eligible
2 partnership receiving a grant under section 203 or
3 204 shall provide, from non-Federal sources (in cash
4 or in kind), an amount equal to 25 percent of the
5 grant for the first year of the grant, 35 percent of
6 the grant for the second year of the grant, and 50
7 percent of the grant for each succeeding year of the
8 grant.

9 “(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—
10 An eligible State or eligible partnership that receives a
11 grant under this part may not use more than 2 percent
12 of the grant funds for purposes of administering the grant.

13 **“SEC. 206. ACCOUNTABILITY AND EVALUATION.**

14 “(a) STATE GRANT ACCOUNTABILITY REPORT.—An
15 eligible State that receives a grant under section 202 shall
16 submit an annual accountability report to the Secretary
17 and the authorizing committees. Such report shall include
18 a description of the degree to which the eligible State, in
19 using funds provided under such section, has made sub-
20 stantial progress in meeting the following goals:

21 “(1) PERCENTAGE OF HIGHLY QUALIFIED
22 TEACHERS.—Increasing the percentage of highly
23 qualified teachers in the State as required by section
24 1119 of the Elementary and Secondary Education
25 Act of 1965 (20 U.S.C. 6319) and section 602 of



1 the Individuals with Disabilities Act (20 U.S.C.
2 1401).

3 “(2) STUDENT ACADEMIC ACHIEVEMENT.—In-
4 creasing student academic achievement for all stu-
5 dents, which may be measured through the use of
6 value-added assessments, as defined by the eligible
7 State.

8 “(3) RAISING STANDARDS.—Raising the State
9 academic standards required to enter the teaching
10 profession as a highly qualified teacher.

11 “(4) INITIAL CERTIFICATION OR LICENSURE.—
12 Increasing success in the pass rate for initial State
13 teacher certification or licensure, or increasing the
14 numbers of qualified individuals being certified or li-
15 censed as teachers through alternative routes to cer-
16 tification and licensure.

17 “(5) DECREASING TEACHER SHORTAGES.—De-
18 creasing shortages of highly qualified teachers in
19 poor urban and rural areas.

20 “(6) INCREASING OPPORTUNITIES FOR RE-
21 SEARCH-BASED PROFESSIONAL DEVELOPMENT.—In-
22 creasing opportunities for enhanced and ongoing
23 professional development that—

24 “(A) improves the academic content knowl-
25 edge of teachers in the subject areas in which



1 the teachers are certified or licensed to teach or
2 in which the teachers are working toward cer-
3 tification or licensure to teach; and

4 “(B) promotes strong teaching skills.

5 “(7) TECHNOLOGY INTEGRATION.—Increasing
6 the number of teachers prepared effectively to inte-
7 grate technology into curricula and instruction and
8 who use technology to collect, manage, and analyze
9 data to improve teaching, learning, decisionmaking,
10 and parental involvement for the purpose of increas-
11 ing student academic achievement.

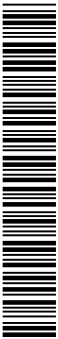
12 “(b) ELIGIBLE PARTNERSHIP EVALUATION.—Each
13 eligible partnership applying for a grant under section 203
14 shall establish, and include in the application submitted
15 under section 203(c), an evaluation plan that includes
16 strong performance objectives. The plan shall include ob-
17 jectives and measures for—

18 “(1) increased student achievement for all stu-
19 dents, as measured by the partnership;

20 “(2) increased teacher retention in the first 3
21 years of a teacher’s career;

22 “(3) increased success in the pass rate for ini-
23 tial State certification or licensure of teachers;

24 “(4) increased percentage of highly qualified
25 teachers; and



1 “(5) increasing the number of teachers trained
2 effectively to integrate technology into curricula and
3 instruction and who use technology to collect, man-
4 age, and analyze data to improve teaching, learning,
5 and decisionmaking for the purpose of improving
6 student academic achievement.

7 “(c) REVOCATION OF GRANT.—

8 “(1) REPORT.—Each eligible State or eligible
9 partnership receiving a grant under section 202 or
10 203 shall report annually on the progress of the eli-
11 gible State or eligible partnership toward meeting
12 the purposes of this part and the goals, objectives,
13 and measures described in subsections (a) and (b).

14 “(2) REVOCATION.—

15 “(A) ELIGIBLE STATES AND ELIGIBLE AP-
16 PPLICANTS.—If the Secretary determines that an
17 eligible State or eligible applicant is not making
18 substantial progress in meeting the purposes,
19 goals, objectives, and measures, as appropriate,
20 by the end of the second year of a grant under
21 this part, then the grant payment shall not be
22 made for the third year of the grant.

23 “(B) ELIGIBLE PARTNERSHIPS.—If the
24 Secretary determines that an eligible partner-
25 ship is not making substantial progress in

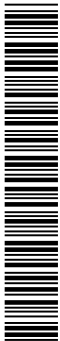


1 meeting the purposes, goals, objectives, and
2 measures, as appropriate, by the end of the
3 third year of a grant under this part, then the
4 grant payments shall not be made for any suc-
5 ceeding year of the grant.

6 “(d) EVALUATION AND DISSEMINATION.—The Sec-
7 retary shall evaluate the activities funded under this part
8 and report annually the Secretary’s findings regarding the
9 activities to the authorizing committees. The Secretary
10 shall broadly disseminate successful practices developed by
11 eligible States and eligible partnerships under this part,
12 and shall broadly disseminate information regarding such
13 practices that were found to be ineffective.

14 **“SEC. 207. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
15 **PARE TEACHERS.**

16 “(a) STATE REPORT CARD ON THE QUALITY OF
17 TEACHER PREPARATION.—Each State that receives funds
18 under this Act shall provide to the Secretary annually, in
19 a uniform and comprehensible manner that conforms with
20 the definitions and methods established by the Secretary,
21 a State report card on the quality of teacher preparation
22 in the State, both for traditional certification or licensure
23 programs and for alternative certification or licensure pro-
24 grams, which shall include at least the following:



1 “(1) A description of the teacher certification
2 and licensure assessments, and any other certifi-
3 cation and licensure requirements, used by the
4 State.

5 “(2) The standards and criteria that prospec-
6 tive teachers must meet in order to attain initial
7 teacher certification or licensure and to be certified
8 or licensed to teach particular subjects or in par-
9 ticular grades within the State.

10 “(3) A description of the extent to which the
11 assessments and requirements described in para-
12 graph (1) are aligned with the State’s standards and
13 assessments for students.

14 “(4) The percentage of students who have com-
15 pleted at least 50 percent of the requirements for a
16 teacher preparation program at an institution of
17 higher education or alternative certification program
18 and who have taken and passed each of the assess-
19 ments used by the State for teacher certification and
20 licensure, and the passing score on each assessment
21 that determines whether a candidate has passed that
22 assessment.

23 “(5) For students who have completed at least
24 50 percent of the requirements for a teacher prepa-
25 ration program at an institution of higher education

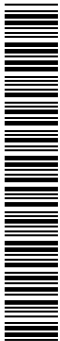


1 or alternative certification program, and who have
2 taken and passed each of the assessments used by
3 the State for teacher certification and licensure,
4 each such institution's and each such program's av-
5 erage raw score, ranked by teacher preparation pro-
6 gram, which shall be made available widely and pub-
7 licly.

8 “(6) A description of each State's alternative
9 routes to teacher certification, if any, and the num-
10 ber and percentage of teachers certified through
11 each alternative certification route who pass State
12 teacher certification or licensure assessments.

13 “(7) For each State, a description of proposed
14 criteria for assessing the performance of teacher
15 preparation programs in the State, including indica-
16 tors of teacher candidate skills, academic content
17 knowledge, and evidence of gains in student aca-
18 demic achievement.

19 “(8) For each teacher preparation program in
20 the State, the number of students in the program,
21 the number of minority students in the program, the
22 average number of hours of supervised practice
23 teaching required for those in the program, and the
24 number of full-time equivalent faculty and students
25 in supervised practice teaching.



1 “(b) REPORT OF THE SECRETARY ON THE QUALITY
2 OF TEACHER PREPARATION.—

3 “(1) REPORT CARD.—The Secretary shall pro-
4 vide to Congress, and publish and make widely avail-
5 able, a report card on teacher qualifications and
6 preparation in the United States, including all the
7 information reported in paragraphs (1) through (8)
8 of subsection (a). Such report shall identify which el-
9 igible States received a grant under this part, and
10 the States in which eligible partnerships receiving
11 grants are located. Such report shall be published
12 and made available annually.

13 “(2) REPORT TO CONGRESS.—The Secretary
14 shall report to Congress—

15 “(A) a comparison of States’ efforts to im-
16 prove teaching quality; and

17 “(B) regarding the national mean and me-
18 dian scores on any standardized test that is
19 used in more than one State for teacher certifi-
20 cation or licensure.

21 “(3) SPECIAL RULE.—In the case of programs
22 with fewer than 10 students who have completed at
23 least 50 percent of the requirements for a teacher
24 preparation program taking any single initial teacher
25 certification or licensure assessment during an aca-



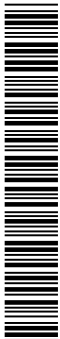
1 demic year, the Secretary shall collect and publish
2 information with respect to an average pass rate on
3 State certification or licensure assessments taken
4 over a 3-year period.

5 “(c) COORDINATION.—The Secretary, to the extent
6 practicable, shall coordinate the information collected and
7 published under this part among States for individuals
8 who took State teacher certification or licensure assess-
9 ments in a State other than the State in which the indi-
10 vidual received the individual’s most recent degree.

11 “(d) INSTITUTION AND PROGRAM REPORT CARDS ON
12 QUALITY OF TEACHER PREPARATION.—

13 “(1) REPORT CARD.—Each institution of higher
14 education or alternative certification program that
15 conducts a teacher preparation program that enrolls
16 students receiving Federal assistance under this Act
17 shall report annually to the State and the general
18 public, in a uniform and comprehensible manner
19 that conforms with the definitions and methods es-
20 tablished by the Secretary, both for traditional cer-
21 tification or licensure programs and for alternative
22 certification or licensure programs, the following in-
23 formation:

24 “(A) PASS RATE.—(i) For the most recent
25 year for which the information is available, the



1 pass rate of each student who has completed at
2 least 50 percent of the requirements for the
3 teacher preparation program on the teacher cer-
4 tification or licensure assessments of the State
5 in which the institution is located, but only for
6 those students who took those assessments
7 within 3 years of receiving a degree from the
8 institution or completing the program.

9 “(ii) A comparison of the institution or
10 program’s pass rate for students who have com-
11 pleted at least 50 percent of the requirements
12 for the teacher preparation program with the
13 average pass rate for institutions and programs
14 in the State.

15 “(iii) A comparison of the institution or
16 program’s average raw score for students who
17 have completed at least 50 percent of the re-
18 quirements for the teacher preparation program
19 with the average raw scores for institutions and
20 programs in the State.

21 “(iv) In the case of programs with fewer
22 than 10 students who have completed at least
23 50 percent of the requirements for a teacher
24 preparation program taking any single initial
25 teacher certification or licensure assessment



1 during an academic year, the institution shall
2 collect and publish information with respect to
3 an average pass rate on State certification or li-
4 censure assessments taken over a 3-year period.

5 “(B) PROGRAM INFORMATION.—The num-
6 ber of students in the program, the average
7 number of hours of supervised practice teaching
8 required for those in the program, and the
9 number of full-time equivalent faculty and stu-
10 dents in supervised practice teaching.

11 “(C) STATEMENT.—In States that require
12 approval or accreditation of teacher education
13 programs, a statement of whether the institu-
14 tion’s program is so approved or accredited,
15 and by whom.

16 “(D) DESIGNATION AS LOW-PER-
17 FORMING.—Whether the program has been des-
18 ignated as low-performing by the State under
19 section 208(a).

20 “(2) REQUIREMENT.—The information de-
21 scribed in paragraph (1) shall be reported through
22 publications such as school catalogs and promotional
23 materials sent to potential applicants, secondary
24 school guidance counselors, and prospective employ-



1 ers of the institution's program graduates, including
2 materials sent by electronic means.

3 “(3) FINES.—In addition to the actions author-
4 ized in section 487(c), the Secretary may impose a
5 fine not to exceed \$25,000 on an institution of high-
6 er education for failure to provide the information
7 described in this subsection in a timely or accurate
8 manner.

9 “(e) DATA QUALITY.—Either—

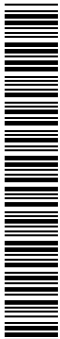
10 “(1) the Governor of the State; or

11 “(2) in the case of a State for which the con-
12 stitution or law of such State designates another in-
13 dividual, entity, or agency in the State to be respon-
14 sible for teacher certification and preparation activ-
15 ity, such individual, entity, or agency;

16 shall attest annually, in writing, as to the reliability, valid-
17 ity, integrity, and accuracy of the data submitted pursuant
18 to this section.

19 **“SEC. 208. STATE FUNCTIONS.**

20 “(a) STATE ASSESSMENT.—In order to receive funds
21 under this Act, a State shall have in place a procedure
22 to identify and assist, through the provision of technical
23 assistance, low-performing programs of teacher prepara-
24 tion within institutions of higher education. Such State
25 shall provide the Secretary an annual list of such low-per-



1 forming institutions that includes an identification of
2 those institutions at risk of being placed on such list. Such
3 levels of performance shall be determined solely by the
4 State and may include criteria based upon information col-
5 lected pursuant to this part. Such assessment shall be de-
6 scribed in the report under section 207(a). A State receiv-
7 ing Federal funds under this title shall develop plans to
8 close or reconstitute underperforming programs of teacher
9 preparation within institutions of higher education.

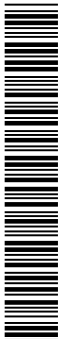
10 “(b) TERMINATION OF ELIGIBILITY.—Any institu-
11 tion of higher education that offers a program of teacher
12 preparation in which the State has withdrawn the State’s
13 approval or terminated the State’s financial support due
14 to the low performance of the institution’s teacher prepa-
15 ration program based upon the State assessment described
16 in subsection (a)—

17 “(1) shall be ineligible for any funding for pro-
18 fessional development activities awarded by the De-
19 partment of Education; and

20 “(2) shall not be permitted to accept or enroll
21 any student who receives aid under title IV of this
22 Act in the institution’s teacher preparation program.

23 **“SEC. 209. GENERAL PROVISIONS.**

24 “(a) METHODS.—In complying with sections 207 and
25 208, the Secretary shall ensure that States and institu-



1 tions of higher education use fair and equitable methods
2 in reporting and that the reporting methods do not allow
3 identification of individuals.

4 “(b) SPECIAL RULE.—For each State in which there
5 are no State certification or licensure assessments, or for
6 States that do not set minimum performance levels on
7 those assessments—

8 “(1) the Secretary shall, to the extent prac-
9 ticable, collect data comparable to the data required
10 under this part from States, local educational agen-
11 cies, institutions of higher education, or other enti-
12 ties that administer such assessments to teachers or
13 prospective teachers; and

14 “(2) notwithstanding any other provision of this
15 part, the Secretary shall use such data to carry out
16 requirements of this part related to assessments or
17 pass rates.

18 “(c) LIMITATIONS.—

19 “(1) FEDERAL CONTROL PROHIBITED.—Noth-
20 ing in this part shall be construed to permit, allow,
21 encourage, or authorize any Federal control over any
22 aspect of any private, religious, or home school,
23 whether or not a home school is treated as a private
24 school or home school under State law. This section
25 shall not be construed to prohibit private, religious,



1 or home schools from participation in programs or
2 services under this part.

3 “(2) NO CHANGE IN STATE CONTROL ENCOUR-
4 AGED OR REQUIRED.—Nothing in this part shall be
5 construed to encourage or require any change in a
6 State’s treatment of any private, religious, or home
7 school, whether or not a home school is treated as
8 a private school or home school under State law.

9 “(3) NATIONAL SYSTEM OF TEACHER CERTIFI-
10 CATION PROHIBITED.—Nothing in this part shall be
11 construed to permit, allow, encourage, or authorize
12 the Secretary to establish or support any national
13 system of teacher certification.

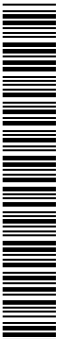
14 **“SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

15 “There are authorized to be appropriated to carry out
16 this part \$300,000,000 for fiscal year 2006 and such sums
17 as may be necessary for each of the 5 succeeding fiscal
18 years, of which—

19 “(1) 45 percent shall be available for each fiscal
20 year to award grants under section 202;

21 “(2) 45 percent shall be available for each fiscal
22 year to award grants under section 203; and

23 “(3) 10 percent shall be available for each fiscal
24 year to award grants under section 204.”.



1 **SEC. 202. PREPARING TOMORROW'S TEACHERS TO USE**
2 **TECHNOLOGY.**

3 (a) ELIGIBILITY.—Section 222(a)(3)(D) (20 U.S.C.
4 1042(a)(3)(D)) is amended by inserting “nonprofit tele-
5 communications entity,” after “community-based organi-
6 zation,”.

7 (b) PERMISSIBLE USES OF FUNDS.—Section
8 223(b)(1)(E) of the Higher Education Act of 1965 (20
9 U.S.C. 1043(b)(1)(E)) is amended to read as follows:

10 “(E) to use technology to collect, manage,
11 and analyze data to improve teaching, learning,
12 and decisionmaking for the purpose of increas-
13 ing student academic achievement.”.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
15 224 (20 U.S.C. 1044) is amended by striking “each of
16 fiscal years 2002 and 2003.” and inserting “fiscal year
17 2006 and each of the 5 succeeding fiscal years.”.

18 **SEC. 203. CENTERS OF EXCELLENCE.**

19 Title II (20 U.S.C. 1021 et seq.) is amended by add-
20 ing at the end the following:

21 **“PART C—CENTERS OF EXCELLENCE**

22 **“SEC. 231. PURPOSES; DEFINITIONS.**

23 “(a) PURPOSES.—The purposes of this part are—

24 “(1) to help recruit and prepare teachers, in-
25 cluding minority teachers, to meet the national de-



1 mand for a highly qualified teacher in every class-
2 room; and

3 “(2) to increase opportunities for Americans of
4 all educational, ethnic, class, and geographic back-
5 grounds to become highly qualified teachers.

6 “(b) DEFINITIONS.—As used in this part:

7 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-
8 ble institution’ means—

9 “(A) an institution of higher education
10 that has a teacher preparation program that
11 meets the requirements of section 203(b)(2)
12 and that is—

13 “(i) a part B institution (as defined in
14 section 322);

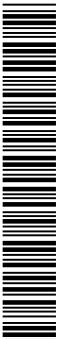
15 “(ii) a Hispanic-serving institution (as
16 defined in section 502);

17 “(iii) a Tribal College or University
18 (as defined in section 316);

19 “(iv) an Alaska Native-serving institu-
20 tion (as defined in section 317(b)); or

21 “(v) a Native Hawaiian-serving insti-
22 tution (as defined in section 317(b));

23 “(B) a consortium of institutions described
24 in subparagraph (A); or



1 “(C) an institution described in subpara-
2 graph (A), or a consortium described in sub-
3 paragraph (B), in partnership with any other
4 institution of higher education, but only if the
5 center of excellence established under section
6 232 is located at an institution described in
7 subparagraph (A).

8 “(2) HIGHLY QUALIFIED.—The term ‘highly
9 qualified’ when used with respect to an individual
10 means that the individual is highly qualified as de-
11 termined under section 9101 of the Elementary and
12 Secondary Education Act of 1965 (20 U.S.C. 7801)
13 or section 602 of the Individuals with Disabilities
14 Education Act (20 U.S.C. 1401).

15 “(3) SCIENTIFICALLY BASED READING RE-
16 SEARCH.—The term ‘scientifically based reading re-
17 search’ has the meaning given such term in section
18 1208 of the Elementary and Secondary Education
19 Act of 1965 (20 U.S.C. 6368).

20 “(4) SCIENTIFICALLY BASED RESEARCH.—The
21 term ‘scientifically based research’ has the meaning
22 given such term in section 9101 of the Elementary
23 and Secondary Education Act of 1965 (20 U.S.C.
24 7801).



1 **“SEC. 232. CENTERS OF EXCELLENCE.**

2 “(a) PROGRAM AUTHORIZED.—From the amounts
3 appropriated to carry out this part, the Secretary is au-
4 thorized to award competitive grants to eligible institu-
5 tions to establish centers of excellence.

6 “(b) USE OF FUNDS.—Grants provided by the Sec-
7 retary under this part shall be used to ensure that current
8 and future teachers are highly qualified, by carrying out
9 one or more of the following activities:

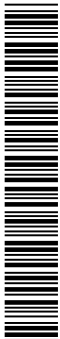
10 “(1) Implementing reforms within teacher prep-
11 aration programs to ensure that such programs are
12 preparing teachers who are highly qualified, are able
13 to understand scientifically based research, and are
14 able to use advanced technology effectively in the
15 classroom, including use for instructional techniques
16 to improve student academic achievement, by—

17 “(A) retraining faculty; and

18 “(B) designing (or redesigning) teacher
19 preparation programs that—

20 “(i) prepare teachers to close student
21 achievement gaps, are based on rigorous
22 academic content, scientifically based re-
23 search (including scientifically based read-
24 ing research), and challenging State stu-
25 dent academic content standards; and

26 “(ii) promote strong teaching skills.



1 “(2) Providing sustained and high-quality
2 preservice clinical experience, including the men-
3 toring of prospective teachers by exemplary teachers,
4 substantially increasing interaction between faculty
5 at institutions of higher education and new and ex-
6 perience teachers, principals, and other administra-
7 tors at elementary schools or secondary schools, and
8 providing support, including preparation time, for
9 such interaction.

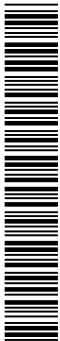
10 “(3) Developing and implementing initiatives to
11 promote retention of highly qualified teachers and
12 principals, including minority teachers and prin-
13 cipals, including programs that provide—

14 “(A) teacher or principal mentoring from
15 exemplary teachers or principals; or

16 “(B) induction and support for teachers
17 and principals during their first 3 years of em-
18 ployment as teachers or principals, respectively.

19 “(4) Awarding scholarships based on financial
20 need to help students pay the costs of tuition, room,
21 board, and other expenses of completing a teacher
22 preparation program.

23 “(5) Disseminating information on effective
24 practices for teacher preparation and successful



1 teacher certification and licensure assessment prepa-
2 ration strategies.

3 “(6) Activities authorized under sections 202,
4 203, and 204.

5 “(c) APPLICATION.—Any eligible institution desiring
6 a grant under this section shall submit an application to
7 the Secretary at such a time, in such a manner, and ac-
8 companied by such information the Secretary may require.

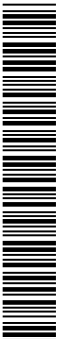
9 “(d) MINIMUM GRANT AMOUNT.—The minimum
10 amount of each grant under this part shall be \$500,000.

11 “(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—
12 An eligible institution that receives a grant under this part
13 may not use more than 2 percent of the grant funds for
14 purposes of administering the grant.

15 “(f) REGULATIONS.—The Secretary shall prescribe
16 such regulations as may be necessary to carry out this
17 part.

18 **“SEC. 233. AUTHORIZATION OF APPROPRIATIONS.**

19 “There are authorized to be appropriated to carry out
20 this part \$10,000,000 for fiscal year 2006 and such sums
21 as may be necessary for each of the 5 succeeding fiscal
22 years.”.



1 **SEC. 204. TEACHER INCENTIVE FUND PROGRAM.**

2 Title II (20 U.S.C. 1021 et seq.), as amended by sec-
3 tion 203 of this Act, is further amended by adding at the
4 end the following:

5 **“PART D—TEACHER INCENTIVE FUND PROGRAM**

6 **“SEC. 241. PURPOSE; DEFINITIONS.**

7 “(a) PURPOSE.—The purpose of this part is to assist
8 States, local educational agencies, and non-profit or for-
9 profit organizations to develop and implement, or expand,
10 innovative compensation systems to provide financial re-
11 wards for teachers and principals who raise student aca-
12 demic achievement and close the achievement gap, espe-
13 cially in the highest-need local educational agencies.

14 “(b) DEFINITIONS.—For purposes of this part:

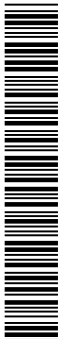
15 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
16 tity’ means—

17 “(A) a local educational agency, including
18 a charter school that is a local educational
19 agency;

20 “(B) a State educational agency, or other
21 State agency designated by the chief executive
22 of the State; or

23 “(C) a partnership of—

24 “(i) one or more agencies described in
25 subparagraph (A) or (B), or both; and



1 “(ii) at least one non-profit or for-
2 profit organization.

3 “(2) HIGH-NEED LOCAL EDUCATIONAL AGEN-
4 CY.—The term ‘high-need local educational agency’
5 has the meaning given that term in section 201.

6 **“SEC. 242. TEACHER INCENTIVE FUND GRANTS.**

7 “(a) PROGRAM AUTHORIZED.—

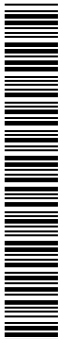
8 “(1) IN GENERAL.—From the amounts appro-
9 priated to carry out this part, the Secretary is au-
10 thorized to award competitive grants of up to 5
11 years in length to eligible entities to develop and im-
12 plement, or expand, a comprehensive performance-
13 based compensation system for teachers and prin-
14 cipals for one or more local educational agencies.

15 “(2) COMPREHENSIVE PERFORMANCE-BASED
16 COMPENSATION SYSTEMS.—A comprehensive per-
17 formance-based compensation system developed and
18 implemented, or expanded with funds under this
19 part—

20 “(A) shall differentiate levels of compensa-
21 tion primarily on the basis of increases in stu-
22 dent academic achievement; and

23 “(B) may—

24 “(i) differentiate levels of compensa-
25 tion on the basis of high-quality teachers’



1 and principals' employment and success in
2 hard-to-staff schools or high-need subject
3 areas; and

4 “(ii) recognize teachers' and prin-
5 cipals' skills and knowledge as dem-
6 onstrated through—

7 “(I) successful fulfillment of ad-
8 ditional responsibilities or job func-
9 tions; and

10 “(II) evidence of high achieve-
11 ment and mastery of content knowl-
12 edge and teaching skills.

13 “(b) USE OF FUNDS.—A grantee shall use grant
14 funds provided under this part only to design and imple-
15 ment, or expand, in collaboration with teachers, principals,
16 other school administrators, and members of the public,
17 a compensation system consistent with the requirements
18 of this part. Authorized activities under this part may in-
19 clude the following:

20 “(1) Developing appraisal systems that reflect
21 clear and fair measures of student academic achieve-
22 ment.

23 “(2) Conducting outreach within the local edu-
24 cational agency (or agencies) or the State to gain

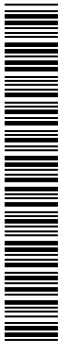


1 input on how to construct the appraisal system and
2 to develop support for it.

3 “(3) Paying, as part of a comprehensive per-
4 formance-based compensation system, bonuses and
5 increased salaries to teachers and principals who
6 raise student academic achievement, so long as the
7 grantee uses an increasing share of non-Federal
8 funds to pay these monetary rewards each year of
9 the grant.

10 “(4) Paying, as part of a comprehensive per-
11 formance-based compensation system, additional bo-
12 nuses to teachers who both raise student academic
13 achievement and either teach in high-poverty schools
14 or teach subjects that are difficult to staff, or both,
15 so long as the grantee uses an increasing share of
16 non-Federal funds to pay these monetary rewards
17 each year of the grant.

18 “(5) Paying, as part of a comprehensive per-
19 formance-based compensation system, additional bo-
20 nuses to principals who both raise student academic
21 achievement and serve in high-poverty schools, so
22 long as the grantee uses an increasing share of non-
23 Federal funds to pay these monetary rewards each
24 year of the grant.



1 “(c) APPLICATIONS.—To be eligible to receive a grant
2 under this part, an eligible entity shall submit an applica-
3 tion that includes—

4 “(1) a description of the local educational agen-
5 cy or local educational agencies to be served by the
6 project, including such demographic information as
7 the Secretary may request;

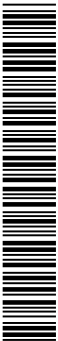
8 “(2) information on student academic achieve-
9 ment and the quality of the teachers and principals
10 in the local educational agency or agencies to be
11 served by the project;

12 “(3) a description of the performance-based
13 teacher and principal compensation system that the
14 applicant proposes to develop and implement or ex-
15 pand;

16 “(4) a description of how the applicant will use
17 grant funds under this part in each year of the
18 grant;

19 “(5) an explanation of how the applicant will
20 meet the requirement in subsection (b)(3) and how
21 the grantee will continue its performance-based com-
22 pensation system after the grant ends;

23 “(6) a description of the support and commit-
24 ment from teachers, the community or local edu-
25 cational agency or agencies for the development and



1 implementation, or expansion, of a performance-
2 based teacher and principal compensation system;

3 “(7) a description of how teacher, principal and
4 student performance will be measured and the base-
5 line measurement units; and

6 “(8) a description, if applicable, of how the ap-
7 plicant will define the term ‘high-quality’ for the
8 purposes of subsection (a)(2)(B)(i), through the use
9 of measurable indicators, such as effectiveness in
10 raising student academic achievement, or dem-
11 onstrated mastery of subject matter knowledge.

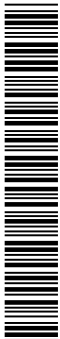
12 “(d) PRIORITY.—The Secretary shall give priority to
13 applications for projects that would establish comprehen-
14 sive performance-based compensation systems in high-
15 need local educational agencies.

16 **“SEC. 243. EVALUATIONS.**

17 “The Secretary shall conduct an independent evalua-
18 tion of the program under this part and may use up to
19 1 percent of the funds made available under this part or
20 \$1,000,000, whichever is less, for any fiscal year for the
21 cost of the evaluation.

22 **“SEC. 244. AUTHORIZATION OF APPROPRIATIONS.**

23 “There are authorized to be appropriated to carry out
24 this part \$100,000,000 for fiscal year 2006 and such sums



1 as may be necessary for each of the 5 succeeding fiscal
2 years.”.

3 **SEC. 205. TRANSITION.**

4 The Secretary of Education shall take such actions
5 as the Secretary determines to be appropriate to provide
6 for the orderly implementation of this title.

7 **TITLE III—INSTITUTIONAL AID**

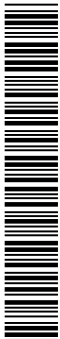
8 **SEC. 301. TITLE III GRANTS FOR AMERICAN INDIAN TRIB-**
9 **ALLY CONTROLLED COLLEGES AND UNIVER-**
10 **SITIES.**

11 (a) ELIGIBLE INSTITUTIONS.—Subsection (b) of sec-
12 tion 316 (20 U.S.C. 1059c(b)) is amended to read as fol-
13 lows:

14 “(b) DEFINITIONS.—

15 “(1) ELIGIBLE INSTITUTIONS.—For purposes
16 of this section, Tribal Colleges and Universities are
17 the following:

18 “(A) any of the following institutions that
19 qualify for funding under the Tribally Con-
20 trolled College or University Assistance Act of
21 1978 or is listed in Equity in Educational Land
22 Grant Status Act of 1994 (7 U.S.C. 301 note):
23 Bay Mills Community College; Blackfeet Com-
24 munity College; Cankdeska Cikana Community
25 College; Chief Dull Knife College; College of



1 Menominee Nation; Crownpoint Institute of
2 Technology; Diné College; D–Q University;
3 Fond du Lac Tribal and Community College;
4 Fort Belknap College; Fort Berthold Commu-
5 nity College; Fort Peck Community College;
6 Haskell Indian Nations University; Institute of
7 American Indian and Alaska Native Culture
8 and Arts Development; Lac Courte Oreilles
9 Ojibwa Community College; Leech Lake Tribal
10 College; Little Big Horn College; Little Priest
11 Tribal College; Nebraska Indian Community
12 College; Northwest Indian College; Oglala
13 Lakota College; Saginaw Chippewa Tribal Col-
14 lege; Salish Kootenai College; Si Tanka Univer-
15 sity—Eagle Butte Campus; Sinte Gleska Uni-
16 versity; Sisseton Wahpeton Community College;
17 Sitting Bull College; Southwestern Indian Poly-
18 technic Institute; Stone Child College; Tohono
19 O’Odham Community College; Turtle Mountain
20 Community College; United Tribes Technical
21 College; and White Earth Tribal and Commu-
22 nity College; and
23 “(B) any other institution that meets the
24 definition of tribally controlled college or uni-
25 versity in section 2 of the Tribally Controlled



1 College or University Assistance Act of 1978,
2 and meets all other requirements of this sec-
3 tion.

4 “(2) INDIAN.—The term ‘Indian’ has the mean-
5 ing given the term in section 2 of the Tribally Con-
6 trolled College or University Assistance Act of
7 1978.”.

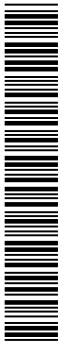
8 (b) DISTANCE LEARNING.—Subsection (c)(2) of such
9 section is amended—

10 (1) by amending subparagraph (B) to read as
11 follows:

12 “(B) construction, maintenance, renova-
13 tion, and improvement in classrooms, libraries,
14 laboratories, and other instructional facilities,
15 including purchase or rental of telecommuni-
16 cations technology equipment or services, and
17 the acquisition of real property adjacent to the
18 campus of the institution on which to construct
19 such facilities;”;

20 (2) in subparagraph (C), by inserting before the
21 semicolon at the end the following: “, or advanced
22 degrees in tribal governance or tribal public policy”;

23 (3) in subparagraph (D), by inserting before
24 the semicolon at the end the following: “, in tribal
25 governance, or tribal public policy”;



1 (4) by striking “and” at the end of subpara-
2 graph (K);

3 (5) by redesignating subparagraph (L) as sub-
4 paragraph (M); and

5 (6) by inserting after subparagraph (K) the fol-
6 lowing new subparagraph:

7 “(L) developing or improving facilities for
8 Internet use or other distance learning aca-
9 demic instruction capabilities; and”.

10 (c) APPLICATION AND ALLOTMENT.—Subsection (d)
11 of such section is amended to read as follows:

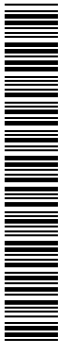
12 “(d) APPLICATION AND ALLOTMENT.—

13 “(1) INSTITUTIONAL ELIGIBILITY.—To be eligi-
14 ble to receive assistance under this section, a Tribal
15 College or University shall be an eligible institution
16 under section 312(b).

17 “(2) APPLICATION.—Any Tribal College or Uni-
18 versity desiring to receive assistance under this sec-
19 tion shall submit an application to the Secretary at
20 such time, and in such manner, as the Secretary
21 may reasonably require.

22 “(3) ALLOTMENTS TO INSTITUTIONS.—

23 “(A) ALLOTMENT: PELL GRANT BASIS.—
24 From the amount appropriated to carry out
25 this section for any fiscal year, the Secretary



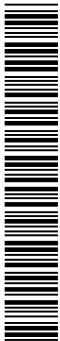
1 shall allot to each eligible institution a sum
2 which bears the same ratio to one-half that
3 amount as the number of Pell Grant recipients
4 in attendance at such institution at the end of
5 the award year preceding the beginning of that
6 fiscal year bears to the total number of Pell
7 Grant recipients at all eligible institutions.

8 “(B) ALLOTMENT: DEGREE AND CERTIFI-
9 CATE BASIS.—From the amount appropriated
10 to carry out this section for any fiscal year, the
11 Secretary shall allot to each eligible institution
12 a sum which bears the same ratio to one-half
13 that amount as the number of degrees or cer-
14 tificates awarded by such institution during the
15 preceding academic year bears to the total num-
16 ber of degrees or certificates at all eligible insti-
17 tutions.

18 “(C) MINIMUM GRANT.—Notwithstanding
19 subparagraphs (A) and (B), the amount allot-
20 ted to each institution under this section shall
21 not be less than \$400,000.

22 “(4) SPECIAL RULES.—

23 “(A) CONCURRENT FUNDING.—For the
24 purposes of this part, no Tribal College or Uni-
25 versity that is eligible for and receives funds



1 under this section shall concurrently receive
2 funds under other provisions of this part or
3 part B.

4 “(B) EXEMPTION.—Section 313(d) shall
5 not apply to institutions that are eligible to re-
6 ceive funds under this section.”.

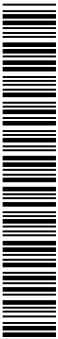
7 **SEC. 302. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING**
8 **INSTITUTIONS.**

9 (a) DISTANCE LEARNING.—Section 317(c)(2) (20
10 U.S.C. 1059d(c)(2)) is amended—

11 (1) by amending subparagraph (B) to read as
12 follows:

13 “(B) construction, maintenance, renova-
14 tion, and improvement in classrooms, libraries,
15 laboratories, and other instructional facilities,
16 including purchase or rental of telecommuni-
17 cations technology equipment or services, and
18 the acquisition of real property adjacent to the
19 campus of the institution on which to construct
20 such facilities;”;

21 (2) in subparagraph (C), by inserting before the
22 semicolon at the end the following: “, or advanced
23 degrees in tribal governance or tribal public policy”;



1 (3) in subparagraph (D), by inserting before
2 the semicolon at the end the following: “, in tribal
3 governance, or tribal public policy”;

4 (4) by striking “and” at the end of subpara-
5 graph (G);

6 (5) by striking the period at the end of sub-
7 paragraph (H) and inserting a semicolon; and

8 (6) by inserting after subparagraph (H) the fol-
9 lowing new subparagraph:

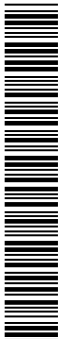
10 “(I) development or improvement of facili-
11 ties for Internet use or other distance learning
12 academic instruction capabilities; and”.

13 (b) ENDOWMENT FUNDS.—Section 317(c) is further
14 amended by adding at the end the following new para-
15 graph:

16 “(3) ENDOWMENT FUNDS.—

17 “(A) IN GENERAL.—An Alaska Native or
18 Native Hawaiian-serving institution may use
19 not more than 20 percent of the grant funds
20 provided under this section to establish or in-
21 crease an endowment fund at the institution.

22 “(B) MATCHING REQUIREMENT.—In order
23 to be eligible to use grant funds in accordance
24 with subparagraph (A), the institution shall
25 provide to the endowment fund from non-Fed-



1 eral funds an amount equal to the Federal
2 funds used in accordance with subparagraph
3 (A), for the establishment or increase of the en-
4 dowment fund.

5 “(C) APPLICABILITY OF OTHER PROVI-
6 SIONS.—The provisions of part C regarding the
7 establishment or increase of an endowment
8 fund, that the Secretary determines are not in-
9 consistent with this paragraph, shall apply to
10 funds used under subparagraph (A).”.

11 (c) APPLICATION PROCESS.—Section 317(d)(2) is
12 amended by striking “Such application shall include—”
13 and all that follows through “may require.”.

14 **SEC. 303. GRANTS TO PART B INSTITUTIONS.**

15 (a) USE OF FUNDS.—

16 (1) FACILITIES AND EQUIPMENT.—

17 (A) UNDERGRADUATE INSTITUTIONS.—

18 Paragraph (2) of section 323(a) (20 U.S.C.
19 1062(a)) is amended to read as follows:

20 “(2) Construction, maintenance, renovation,
21 and improvement in classrooms, libraries, labora-
22 tories, and other instructional facilities, including
23 purchase or rental of telecommunications technology
24 equipment or services, and the acquisition of real



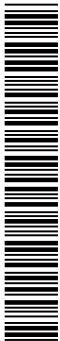
1 property adjacent to the campus of the institution
2 on which to construct such facilities.”.

3 (B) GRADUATE AND PROFESSIONAL
4 SCHOOLS.—Paragraph (2) of section 326(c) is
5 amended to read as follows:

6 “(2) construction, maintenance, renovation, and
7 improvement in classrooms, libraries, laboratories,
8 and other instructional facilities, including purchase
9 or rental of telecommunications technology equip-
10 ment or services, and the acquisition of real property
11 adjacent to the campus of the institution on which
12 to construct such facilities;”.

13 (2) OUTREACH AND COLLABORATION.—Para-
14 graph (11) of section 323(a) is amended to read as
15 follows:

16 “(11) Establishing community outreach pro-
17 grams and collaborative partnerships between part B
18 institutions and local elementary or secondary
19 schools. Such partnerships may include mentoring,
20 tutoring, or other instructional opportunities that
21 will boost student academic achievement and assist
22 elementary and secondary school students in devel-
23 oping the academic skills and the interest to pursue
24 postsecondary education.”.



1 (b) TECHNICAL ASSISTANCE.—Section 323 (20
2 U.S.C. 1062) is amended—

3 (1) by redesignating subsection (c) as sub-
4 section (d); and

5 (2) by inserting after subsection (b) the fol-
6 lowing new subsection:

7 “(c) TECHNICAL ASSISTANCE.—

8 “(1) IN GENERAL.—An institution may not use
9 more than 2 percent of the grant funds provided
10 under this part to secure technical assistance serv-
11 ices.

12 “(2) TECHNICAL ASSISTANCE SERVICES.—

13 Technical assistance services may include assistance
14 with enrollment management, financial management,
15 and strategic planning.

16 “(3) REPORT.—The institution shall report to
17 the Secretary on an annual basis, in such form as
18 the Secretary requires, on the use of funds under
19 this subsection.”.

20 (c) DISTANCE LEARNING.—Section 323(a)(2) (20

21 U.S.C. 1062(a)(2)) (as amended by subsection (a)(1)(A))

22 is further amended by inserting “development or improve-
23 ment of facilities for Internet use or other distance learn-
24 ing academic instruction capabilities and” after “includ-
25 ing”.



1 (d) MINIMUM GRANTS.—Section 324(d)(1) (20
2 U.S.C. 1063(d)(1)) is amended by inserting before the pe-
3 riod at the end the following: “, except that, if the amount
4 appropriated to carry out this part for any fiscal year ex-
5 ceeds the amount required to provide to each institution
6 an amount equal to the total amount received by such in-
7 stitution under subsections (a), (b), and (c) for the pre-
8 ceding fiscal year, then the amount of such excess appro-
9 priation shall first be applied to increase the minimum al-
10 lotment under this subsection to \$750,000”.

11 (e) ELIGIBLE GRADUATE OR PROFESSIONAL
12 SCHOOLS.—

13 (1) GENERAL AUTHORITY.—Section 326(a)(1)
14 (20 U.S.C. 1063b(a)(1)) is amended—

15 (A) by inserting “(A)” after “subsection
16 (e) that”;

17 (B) by inserting before the period at the
18 end the following: “, (B) is accredited by a na-
19 tionally recognized accrediting agency or asso-
20 ciation determined by the Secretary to be a reli-
21 able authority as to the quality of training of-
22 fered, and (C) according to such an agency or
23 association, is in good standing”.

24 (2) ELIGIBLE INSTITUTIONS.—Section
25 326(e)(1) (20 U.S.C. 1063b(e)(1)) is amended—



1 (A) by striking “and” at the end of sub-
2 paragraph (Q);

3 (B) by striking the period at the end of
4 subparagraph (R) and inserting a semicolon;
5 and

6 (C) by adding at the end the following new
7 subparagraphs:

8 “(S) Alabama State University qualified
9 graduate program;

10 “(T) Prairie View A & M University quali-
11 fied graduate program;

12 “(U) Coppin State University qualified
13 graduate program; and

14 “(V) Delaware State University qualified
15 graduate program.”.

16 (3) CONFORMING AMENDMENT.—Section
17 326(e)(3) (20 U.S.C. 1063b(e)(3)) is amended—

18 (A) by striking “1998” and inserting
19 “2005”; and

20 (B) by striking “(Q) and (R)” and insert-
21 ing “(S), (T), (U), and (V)”.

22 (f) PROFESSIONAL OR GRADUATE INSTITUTIONS.—
23 Section 326(f) (20 U.S.C. 1063b(f)) is amended—

24 (1) in paragraph (1)—



1 (A) by striking “\$26,600,000” and insert-
2 ing “\$54,500,000”; and

3 (B) by striking “(P)” and inserting “(R)”;
4 (2) in paragraph (2)—

5 (A) by striking “\$26,600,000, but not in
6 excess of \$28,600,000” and inserting
7 “\$54,500,000, but not in excess of
8 \$58,500,000”; and

9 (B) by striking “subparagraphs (Q) and
10 (R)” and inserting “subparagraphs (S), (T),
11 (U), and (V)”;
12 (3) in paragraph (3)—

13 (A) by striking “\$28,600,000” and insert-
14 ing “\$58,500,000”; and

15 (B) by striking “(R)” and inserting “(V)”.

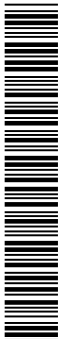
16 (g) HOLD HARMLESS.—Section 326(g) (20 U.S.C.
17 1063b(g)) is amended by striking “1998” each place it
18 appears and inserting “2005”.

19 **SEC. 304. TECHNICAL AMENDMENTS.**

20 (a) AMENDMENTS.—Title III is further amended—

21 (1) in section 311(c) (20 U.S.C. 1057(c))—

22 (A) by redesignating paragraphs (7)
23 through (12) as paragraphs (8) through (13),
24 respectively; and



1 (B) by inserting after paragraph (6) the
2 following:

3 “(7) Education or counseling services designed
4 to improve the financial literacy and economic lit-
5 eracy of students and, as appropriate, their par-
6 ents.”;

7 (2) in section 312(b)(1)(A) (20 U.S.C.
8 1058(b)(1)(A)), by striking “subsection (c)” and in-
9 serting “subsection (d)”;

10 (3) in section 312(b)(1)(F) (20 U.S.C.
11 1058(b)(1)(F)), by inserting “which is” before “lo-
12 cated”;

13 (4) in section 312(b)(1) (20 U.S.C.
14 1058(b)(1)), by redesignating subparagraphs (E)
15 and (F) as subparagraphs (F) and (G), respectively,
16 and by inserting after subparagraph (D) the fol-
17 lowing new subparagraph:

18 “(E) which provides a program that is not
19 less than a 2-year educational program that is
20 acceptable for full credit toward a bachelor’s de-
21 gree.”;

22 (5) in section 316(c)(2) (20 U.S.C.
23 1059c(c)(2))—

24 (A) by redesignating subparagraphs (G)
25 through (M) (as redesignated by section



1 301(b)(2) of this Act) as subparagraphs (H)
2 through (N), respectively;

3 (B) by inserting after subparagraph (F)
4 the following:

5 “(G) education or counseling services de-
6 signed to improve the financial literacy and eco-
7 nomic literacy of students and, as appropriate,
8 their parents;”; and

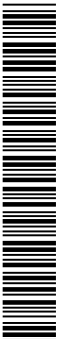
9 (C) in subparagraph (N), as redesignated
10 by subparagraph (A), by striking “subpara-
11 graphs (A) through (K)” and inserting “sub-
12 paragraphs (A) through (M)”;

13 (6) in section 317(c)(2) (20 U.S.C.
14 1059d(c)(2)), by inserting after subparagraph (I)
15 (as added by section 302(a)(6) of this Act) the fol-
16 lowing:

17 “(J) education or counseling services de-
18 signed to improve the financial literacy and eco-
19 nomic literacy of students and, as appropriate,
20 their parents.”;

21 (7) in section 323(a) (20 U.S.C. 1062(a))—

22 (A) by striking “section 360(a)(2)” and in-
23 serting “section 399(a)(2)”;



1 (B) by redesignating paragraphs (7)
2 through (12) as paragraphs (8) through (13),
3 respectively; and

4 (C) by inserting after paragraph (6) the
5 following:

6 “(7) Education or counseling services designed
7 to improve the financial literacy and economic lit-
8 eracy of students and, as appropriate, their par-
9 ents.”;

10 (8) in section 324(d)(2) (20 U.S.C.
11 1063(d)(2)), by striking “section 360(a)(2)(A)” and
12 inserting “section 399(a)(2)(A)”;

13 (9) in section 326(e)(1) (20 U.S.C.
14 1063b(e)(1)), in the matter preceding subparagraph
15 (A), by inserting a colon after “the following”;

16 (10) in section 327(b) (20 U.S.C. 1063c(b)), by
17 striking “initial”;

18 (11) in section 342(5)(C) (20 U.S.C.
19 1066a(5)(C))—

20 (A) by inserting a comma after “equip-
21 ment” the first place it appears; and

22 (B) by striking “technology,” and insert-
23 ing “technology,”;



1 (12) in section 343(e) (20 U.S.C. 1066b(e)), by
2 inserting after the subsection designation the fol-
3 lowing: “SALE OF QUALIFIED BONDS.—”;

4 (13) in section 351(a) (20 U.S.C. 1067a(a)), by
5 striking “of 1979”;

6 (14) in section 391(b)(7)(E) (20 U.S.C.
7 1068(b)(7)(E)), by striking “subparagraph (E)” and
8 inserting “subparagraph (D)”; and

9 (15) in section 396 (20 U.S.C. 1068e), by strik-
10 ing “section 360” and inserting “section 399”.

11 (b) REPEAL.—Section 1024 (20 U.S.C. 1135b–3), as
12 transferred by section 301(a)(5) of the Higher Education
13 Amendments of 1998 (Public Law 105–244; 112 Stat.
14 1636), is repealed.

15 **SEC. 305. TITLE III AUTHORIZATIONS.**

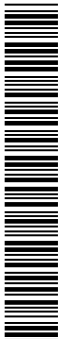
16 Section 399(a) (20 U.S.C. 1068h(a)) is amended—

17 (1) by striking “1999” each place it appears
18 and inserting “2006”;

19 (2) by striking “4 succeeding fiscal years” each
20 place it appears and inserting “5 succeeding fiscal
21 years”;

22 (3) in paragraph (1)—

23 (A) by striking “\$10,000,000” in subpara-
24 graph (B) and inserting “\$23,800,000”; and



1 (B) by striking “\$5,000,000” in subpara-
2 graph (C) and inserting “\$11,900,000”;

3 (4) in paragraph (2)—

4 (A) by striking “\$135,000,000” in sub-
5 paragraph (A) and inserting “\$241,000,000”;
6 and

7 (B) by striking “\$35,000,000” in subpara-
8 graph (B) and inserting “\$59,000,000”; and

9 (5) in paragraph (4), by striking “\$110,000”
10 and inserting “\$212,000”.

11 **TITLE IV—STUDENT ASSISTANCE**

12 **PART A—GRANTS TO STUDENTS**

13 **SEC. 401. PELL GRANTS.**

14 (a) EXTENSION OF AUTHORITY.—Section 401(a) (20
15 U.S.C. 1070a(a)) is amended by striking “2004” and in-
16 serting “2012”.

17 (b) DIRECT PAYMENT.—Section 401(a) (20 U.S.C.
18 1070a(a)) is further amended—

19 (1) by striking paragraph (2); and

20 (2) by redesignating paragraph (3) as para-
21 graph (2).

22 (c) MAXIMUM PELL GRANT INCREASE.— Paragraph
23 (2)(A) of section 401(b) 20 U.S.C. 1070a(b)(2)(A)) is
24 amended to read as follows:



1 “(2)(A) The amount of the Federal Pell Grant for
2 a student eligible under this part shall be \$6,000 for aca-
3 demic years 2006–2007 through 2012–2013, less an
4 amount equal to the amount determined to be the expected
5 family contribution with respect to that student for that
6 year.”.

7 (d) TUITION SENSITIVITY.—Section 401(b) is further
8 amended—

9 (1) by striking paragraph (3); and

10 (2) by redesignating paragraphs (4) through
11 (8) as paragraphs (3) through (7), respectively.

12 (e) MULTIPLE GRANTS.—Paragraph (5) of section
13 401(b) (as redesignated by subsection (d)(2)) is amended
14 to read as follows:

15 “(5) YEAR-ROUND PELL GRANTS.—

16 “(A) IN GENERAL.—The Secretary shall,
17 for students enrolled full time in a bacca-
18 laurate or associate’s degree program of study
19 at an eligible institution, award such students
20 two Pell grants during a single award year to
21 permit such students to accelerate progress to-
22 ward their degree objectives by enrolling in aca-
23 demic programs for 12 months rather than 9
24 months.



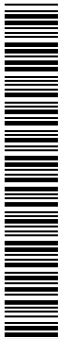
1 “(B) LIMITATION.—The Secretary shall
2 limit the awarding of additional Pell grants
3 under this paragraph in a single award year to
4 students attending—

5 “(i) baccalaureate degree granting in-
6 stitutions that have a graduation rate as
7 reported by the Integrated Postsecondary
8 Education Data System for the 4 pre-
9 ceding academic years of at least 30 per-
10 cent; or

11 “(ii) two-year institutions that have a
12 graduation rate as reported by the Inte-
13 grated Postsecondary Education Data Sys-
14 tems, in at least one of the last 3 years for
15 which data is available, that is above the
16 average for the applicable year for the in-
17 stitution’s type and control.

18 “(C) EVALUATION.—The Secretary shall
19 conduct an evaluation of the program under
20 this paragraph and submit to the Congress an
21 evaluation report no later than October 1,
22 2011.

23 “(D) REGULATIONS REQUIRED.—The Sec-
24 retary shall promulgate regulations imple-
25 menting this paragraph.”.



1 (f) INELIGIBILITY BASED ON INVOLUNTARY CIVIL
2 COMMITMENT FOR SEXUAL OFFENSES.—Paragraph (7)
3 of section 401(b) (as redesignated by subsection (d)(2))
4 is amended by inserting before the period the following:
5 “or who is subject to an involuntary civil commitment
6 upon completion of a period of incarceration for a sexual
7 offense (as determined under regulations of the Sec-
8 retary)”.

9 (g) PELL GRANT ELIGIBILITY DURATION.—Section
10 401(c) (20 U.S.C. 1070a(c)) is amended—

11 (1) in paragraph (1)—

12 (A) by striking “The period” and inserting
13 in lieu thereof “Subject to paragraph (5), the
14 period”; and

15 (B) by striking the period at the end there-
16 of and inserting “but shall be subject to the
17 limitation described in paragraph (5).”; and

18 (2) by adding at the end the following new
19 paragraph:

20 “(5) The period during which a student may receive
21 Federal Pell Grants shall not exceed the equivalent of 18
22 semesters or 27 quarters in duration (as determined by
23 the Secretary by regulation), without regard to whether
24 the student is enrolled on a full-time basis during any por-
25 tion of that period, and including any period of time for



1 which the student received Federal Pell Grants prior to
2 the date of enactment of the College Access and Oppor-
3 tunity Act of 2006.”.

4 (h) ELIGIBILITY PERIOD.—Section 401(c)(2) (20
5 U.S.C. 1070a(c)(2)) is amended by inserting “, for not
6 more than one academic year,” after “which are deter-
7 mined by the institution” in the first sentence.

8 (i) PELL GRANTS PLUS: ACHIEVEMENT GRANTS FOR
9 STATE SCHOLARS PROGRAM.—

10 (1) AMENDMENT.—Subpart 1 of part A of title
11 IV is amended by inserting after section 401 (20
12 U.S.C. 1070a) the following new section:

13 **“SEC. 401A. PELL GRANTS PLUS: ACHIEVEMENT GRANTS**
14 **FOR STATE SCHOLARS.**

15 “(a) GRANTS AUTHORIZED.—From sums appro-
16 priated to carry out section 401, the Secretary shall estab-
17 lish a program to award Pell Grants Plus to students
18 who—

19 “(1) have successfully completed a rigorous
20 high school program of study established by a State
21 or local educational agency in consultation with a
22 State coalition assisted by the Center for State
23 Scholars;

24 “(2) are enrolled full-time in the first academic
25 year of undergraduate education, and have not been



1 previously enrolled in a program of undergraduate
2 education; and

3 “(3) are eligible to receive Federal Pell Grants
4 for the year in which the grant is awarded.

5 “(b) AMOUNT OF GRANTS.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), the amount of the grant awarded under
8 this section shall be \$1,000.

9 “(2) ASSISTANCE NOT TO EXCEED COST OF AT-
10 TENDANCE.—A grant awarded under this section to
11 any student, in combination with the Federal Pell
12 Grant assistance and other student financial assist-
13 ance available to such student, may not exceed the
14 student’s cost of attendance.

15 “(c) SELECTION OF RECIPIENTS.—

16 “(1) PROCEDURES ESTABLISHED BY REGULA-
17 TION.—The Secretary shall establish by regulation
18 procedures for the determination of eligibility of stu-
19 dents for the grants awarded under this section.
20 Such procedures shall include measures to ensure
21 that eligibility is determined in a timely and accu-
22 rate manner consistent with the requirements of sec-
23 tion 482 and the submission of the financial aid
24 form required by section 483.



1 “(2) REQUIRED INFORMATION.—Each eligible
2 student desiring an award under this section shall
3 submit at such time and in such manner such infor-
4 mation as the Secretary may reasonably require.

5 “(3) CONTINUATION OF GRANT REQUIRE-
6 MENTS.—In order for a student to continue to be el-
7 igible to receive an award under this section for the
8 second year of undergraduate education, the eligible
9 student must—

10 “(A) maintain eligibility to receive a Fed-
11 eral Pell Grant for that year;

12 “(B) obtain a grade point average of at
13 least 3.0 (or the equivalent as determined under
14 regulations prescribed by the Secretary) for the
15 first year of undergraduate education; and

16 “(C) be enrolled full-time and fulfill the re-
17 quirements for satisfactory progress described
18 in section 484(c).

19 “(d) EVALUATION, AND REPORTS.—The Secretary
20 shall monitor the progress, retention, and completion rates
21 of the students to whom awards are provided under this
22 section. In doing so, the Secretary shall evaluate the im-
23 pact of the Pell Grants Plus Program and report, not less
24 than biennially, to the authorizing committees of the
25 House of Representatives and the Senate.”.



1 (2) CONFORMING AMENDMENT.—Chapter 3 of
2 subpart 2 of part A of title IV (20 U.S.C. 1070a–
3 31 through 1070a–35) is repealed.

4 **SEC. 402. TRIO PROGRAMS.**

5 (a) DURATION OF GRANTS.—

6 (1) AMENDMENT.—Section 402A(b)(2) (20
7 U.S.C. 1070a–11(b)(2)) is amended to read as fol-
8 lows:

9 “(2) DURATION.—Grants or contracts awarded
10 under this chapter shall be awarded for a period of
11 5 years, except that—

12 “(A) grants under section 402G shall be
13 awarded for a period of 2 years; and

14 “(B) grants under section 402H shall be
15 awarded for a period determined by the Sec-
16 retary.”.

17 (2) TRANSITION TO SYNCHRONOUS GRANT PE-
18 RIODS.—Notwithstanding section 402A(b)(2) of the
19 Higher Education Act of 1965 (as in effect both
20 prior to and after the amendment made by para-
21 graph (1) of this subsection), the Secretary of Edu-
22 cation may continue an award made before the date
23 of enactment of this Act under section 402B, 402C,
24 402D, 402E, or 402F of such Act as necessary to
25 permit all the awards made under such a section to



1 expire at the end of the same fiscal year, and there-
2 after to expire at the end of 5 years as provided in
3 the amendment made by paragraph (1) of this sub-
4 section.

5 (b) MINIMUM GRANTS.—Section 402A(b)(3) (20
6 U.S.C. 1070a–11(b)(3)) is amended to read as follows:

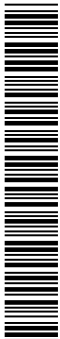
7 “(3) MINIMUM GRANTS.—Unless the institution
8 or agency requests a smaller amount, individual
9 grants for programs authorized under this chapter
10 shall be no less than \$200,000, except that indi-
11 vidual grants for programs authorized under section
12 402G shall be no less than \$170,000.”.

13 (c) PRIOR EXPERIENCE; NOVICE APPLICANTS.—Sec-
14 tion 402A(c)(2) (20 U.S.C. 1070a–11(c)(2)) is
15 amended—

16 (1) by striking “In making grants” and insert-
17 ing “(A) Subject to subparagraph (B), in making
18 grants”; and

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(B) From the amount available under sub-
22 section (h) for a program under this chapter (other
23 than a program under section 402G or 402H) for
24 any fiscal year in which the Secretary conducts a
25 competition for the award of grants or contracts



1 under such program, the Secretary shall reserve 10
2 percent of such available amount for purposes of
3 funding applications from novice applicants. If the
4 Secretary determines that there are an insufficient
5 number of qualified novice applicants to utilize the
6 amount so reserved, the Secretary shall restore the
7 unutilized remainder of the amount reserved for use
8 by applicants qualifying under subparagraph (A).”.

9 (d) APPLICATION STATUS.—Section 402A(c) (20
10 U.S.C. 1070a–11(c)) is amended by striking paragraph
11 (7).

12 (e) DOCUMENTATION OF STATUS.—Section 402A(e)
13 (20 U.S.C. 1070a–11(e)) is amended by striking “(g)(2)”
14 each place it appears in paragraphs (1) and (2) and insert-
15 ing “(i)(4)”.

16 (f) HOMELESS AND UNACCOMPANIED YOUTH.—Sec-
17 tion 402A(e) is further amended by adding at the end the
18 following new paragraph:

19 “(3) Notwithstanding this subsection and subsection
20 (i)(4), individuals who are homeless or unaccompanied
21 youth as defined in section 725 of the McKinney-Vento
22 Homeless Assistance Act shall be eligible to participate in
23 programs under sections 402B, 402C, 402D, and 402F
24 of this chapter.”.



1 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
2 402A(f) (20 U.S.C. 1070a–11(f)) is amended by striking
3 “\$700,000,000 for fiscal year 1999, and such sums as
4 may be necessary for each of the 4 succeeding fiscal years”
5 and inserting “\$836,500,000 for fiscal year 2006 and
6 such sums as may be necessary for each of the 5 suc-
7 ceeding fiscal years”.

8 (h) DEFINITION.—Section 402A(g) (20 U.S.C.
9 1070a–11(g)) is amended—

10 (1) in paragraph (3), by striking “by reason of
11 such individual’s age”;

12 (2) by redesignating paragraphs (1) through
13 (4) as paragraphs (3) through (6), respectively; and

14 (3) by inserting before paragraph (3), as redes-
15 ignated, the following:

16 “(1) DIFFERENT CAMPUS.—The term ‘different
17 campus’ means an institutional site that—

18 “(A) is geographically apart from the main
19 campus of the institution;

20 “(B) is permanent in nature; and

21 “(C) offers courses in educational pro-
22 grams leading to a degree, certificate, or other
23 recognized educational credential.

24 “(2) DIFFERENT POPULATION.—The term ‘dif-
25 ferent population’ means a group of individuals, with



1 respect to whom an entity seeks to serve through an
2 application for funding under this chapter, that—

3 “(A) is separate and distinct from any
4 other population that the entity seeks to serve
5 through an application for funding under this
6 chapter; or

7 “(B) while sharing some of the same needs
8 as another population that the entity seeks to
9 serve through an application for funding under
10 this chapter, has distinct needs for specialized
11 services.”.

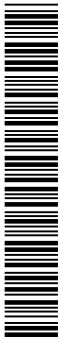
12 (i) EDUCATION AND COUNSELING SERVICES.—Chap-
13 ter 1 of subpart 2 of part A of title IV is further
14 amended—

15 (1) in section 402B(b) (20 U.S.C. 1070a–
16 12(b))—

17 (A) by redesignating paragraphs (3)
18 through (10) as paragraphs (4) through (11),
19 respectively;

20 (B) by inserting after paragraph (2) the
21 following:

22 “(3) education or counseling services designed
23 to improve the financial literacy and economic lit-
24 eracy of students and, as appropriate, their par-
25 ents;” and



1 (C) in paragraph (11), as redesignated by
2 subparagraph (A), by striking “paragraphs (1)
3 through (9)” and inserting “paragraphs (1)
4 through (10)”;

5 (2) in section 402C (20 U.S.C. 1070a–13)—

6 (A) in subsection (b)—

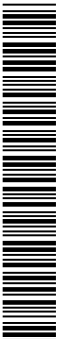
7 (i) by redesignating paragraphs (2)
8 through (12) as paragraphs (3) through
9 (13), respectively;

10 (ii) by inserting after paragraph (1)
11 the following:

12 “(2) education or counseling services designed
13 to improve the financial literacy and economic lit-
14 eracy of students and, as appropriate, their par-
15 ents;”;

16 (iii) in paragraph (12), as redesign-
17 ated by clause (i), by inserting “, specifi-
18 cally in the fields of math and science”
19 after “postsecondary education”; and

20 (iv) in paragraph (13), as redesign-
21 ated by clause (i), by striking “para-
22 graphs (1) through (11)” and inserting
23 “paragraphs (1) through (12)”;



1 (B) in subsection (e), by striking “sub-
2 section (b)(10)” and inserting “subsection
3 (b)(11)”;

4 (3) in section 402D(b) (20 U.S.C. 1070a–
5 14(b))—

6 (A) by redesignating paragraphs (2)
7 through (10) as paragraphs (3) through (11),
8 respectively;

9 (B) by inserting after paragraph (1) the
10 following:

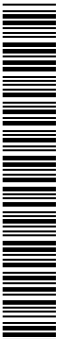
11 “(2) education or counseling services designed
12 to improve the financial literacy and economic lit-
13 eracy of students and, as appropriate, their par-
14 ents;”; and

15 (C) in paragraph (11), as redesignated by
16 subparagraph (A), by striking “paragraphs (1)
17 through (9)” and inserting “paragraphs (1)
18 through (10)”;

19 (4) in section 402E(b) (20 U.S.C. 1070a–
20 15(b))—

21 (A) by redesignating paragraphs (7) and
22 (8) as paragraphs (8) and (9), respectively; and

23 (B) by inserting after paragraph (6) the
24 following:



1 “(7) education or counseling services designed
2 to improve the financial literacy and economic lit-
3 eracy of students and, as appropriate, their par-
4 ents;”; and

5 (5) in section 402F(b) (20 U.S.C. 1070a–
6 16(b))—

7 (A) by redesignating paragraphs (4)
8 through (10) as paragraphs (5) through (11),
9 respectively;

10 (B) by inserting after paragraph (3) the
11 following:

12 “(4) education or counseling services designed
13 to improve the financial literacy and economic lit-
14 eracy of students and, as appropriate, their par-
15 ents;”; and

16 (C) in paragraph (11), as redesignated by
17 subparagraph (A), by striking “paragraphs (1)
18 through (9)” and inserting “paragraphs (1)
19 through (10)”.

20 (j) MAXIMUM STIPENDS.—Section 402C(e) (20
21 U.S.C. 1070a–13(e)) is amended—

22 (1) by striking “\$60” and inserting “\$100”;

23 and

24 (2) by striking “\$40” and inserting “\$60”.



1 (k) STUDENT SUPPORT SERVICES.—Section
2 402D(d)(6) (20 U.S.C. 1070a–14(d)(6)) is amended—

3 (1) by striking “and” at the end of subpara-
4 graph (A);

5 (2) by striking the period at the end of sub-
6 paragraph (B) and inserting “; and”; and

7 (3) by inserting after subparagraph (B) the fol-
8 lowing new subparagraph:

9 “(C) working with other entities that serve
10 low-income working adults to increase access to
11 and successful progress in postsecondary edu-
12 cation by low-income working adults seeking
13 their first postsecondary degree or certificate.”.

14 (l) POSTBACCALAUREATE ACHIEVEMENT MAXIMUM
15 STIPENDS.—Section 402E(e)(1) (20 U.S.C. 1070a–
16 15(e)(1)) is amended by striking “\$2,800” and inserting
17 “\$5,000”.

18 (m) EDUCATIONAL OPPORTUNITY CENTERS: APPLI-
19 CATION APPROVAL.—Section 402F(c) (20 U.S.C. 1070a–
20 16(c)) is amended—

21 (1) by striking “and” at the end of paragraph

22 (2);

23 (2) by striking the period at the end of para-
24 graph (3) and inserting “; and”; and



1 (3) by inserting after paragraph (3) the fol-
2 lowing new paragraph:

3 “(4) consider the extent to which the proposed
4 project would provide services to low-income working
5 adults in the region to be served, in order to in-
6 crease access to postsecondary education by low-in-
7 come working adults.”.

8 **SEC. 403. TRIO REFORM.**

9 (a) PERFORMANCE MEASURES.—Section 402A (20
10 U.S.C. 1070a-11) is amended—

11 (1) by redesignating subsections (c), (d), (e),
12 (f), and (g) as subsections (d), (e), (g), (h), and (i),
13 respectively; and

14 (2) by inserting after subsection (b) the fol-
15 lowing new subsection:

16 “(c) PERFORMANCE MEASURES.—

17 “(1) IN GENERAL.—The Secretary shall estab-
18 lish expected program outcomes and procedures for
19 measuring, annually and for longer periods, the
20 quality and effectiveness of programs operated under
21 this chapter, and the impact of the services provided
22 through the programs to support the attainment of
23 higher education for students from disadvantaged
24 backgrounds, low-income individuals, and prospective
25 first-generation college students.



1 “(2) USE OF MEASURES.—The performance
2 measures described in paragraph (1) shall be used
3 to—

4 “(A) assess the impact of the specific serv-
5 ices provided by recipients of grants or con-
6 tracts under this chapter and, to the extent the
7 Secretary finds appropriate, administrative and
8 financial management practices of such pro-
9 grams;

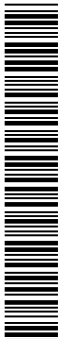
10 “(B) identify strengths and weaknesses in
11 the provision of services provided by grantees
12 under this chapter;

13 “(C) identify project operations that may
14 require training and technical assistance re-
15 sources.

16 “(3) ADDITIONAL MEASURES.—In addition to
17 the performance measures in paragraph (1), each
18 grant recipient may establish local performance
19 measures.”.

20 (b) SELECTION.—Subsection (d) of such section (as
21 redesignated by subsection (a)(1) of this section) is
22 amended—

23 (1) by redesignating paragraphs (2) through
24 (6) as paragraphs (3) through (7), respectively; and



1 (2) by inserting after paragraph (1) the fol-
2 lowing new paragraph:

3 “(2) SELECTION.—

4 “(A) IN GENERAL.—In awarding grants
5 from among qualified applicants, the Secretary
6 shall consider the effectiveness of each applicant
7 in providing services under this chapter, based
8 on—

9 “(i) the plan of such applicant to de-
10 liver program services and achieve expected
11 program outcomes established by the Sec-
12 retary;

13 “(ii) the plan of such applicant to co-
14 ordinate program services with other pro-
15 grams for disadvantaged students; and

16 “(iii) any prior experience of such ap-
17 plicant in achieving expected program out-
18 comes under this chapter.

19 “(B) ADDITIONAL CRITERIA.—The Sec-
20 retary may establish additional selection criteria
21 as necessary to identify the most qualified ap-
22 plicants.”.

23 (c) PRIOR EXPERIENCE.—Paragraph (3) of such
24 subsection (d) (as amended by section 402(c) and redesign-
25 nated by subsection (b)(1) of this section) is amended—



1 (1) by striking subparagraph (A) and inserting
2 “(A) In making grants under this chapter, the Sec-
3 retary shall use the measures described in subsection
4 (c)(1) to evaluate each applicant’s prior experience
5 in achieving expected program outcomes under the
6 particular program for which funds are sought.”;
7 and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(C) The Secretary shall not give prior experi-
11 ence points to any current grantee that during the
12 then most recent period for which funds were
13 provided—

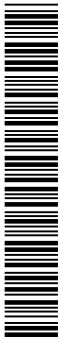
14 “(i) failed to meet one or more expected
15 program outcomes based on the performance
16 measures described in subsection (c); or

17 “(ii) expended funds for indirect costs in
18 an amount that exceeded 8 percent of the total
19 grant award.”.

20 (d) ORDER OF AWARDS.—Paragraph (4) of such sub-
21 section (d) (as redesignated by subsection (b)(1) of this
22 section) is amended—

23 (1) in subparagraph (A)—

24 (A) by striking “under paragraph (4)” and
25 inserting “under paragraph (5)”; and



1 (B) by striking “with paragraph (2)” and
2 inserting “with paragraph (3)”; and
3 (2) by amending subparagraph (B) to read as
4 follows:

5 “(B) The Secretary shall not provide assistance
6 to an entity if the Secretary has determined that
7 such entity has involved the fraudulent use of public
8 or private funds.”.

9 (e) TECHNICAL ASSISTANCE.—Paragraph (3) of sub-
10 section (e) of such section (as redesignated by subsection
11 (a)(1) of this section) is amended to read as follows:

12 “(3) TECHNICAL ASSISTANCE.—The Secretary
13 shall provide technical assistance to applicants for
14 projects and programs authorized under this chap-
15 ter. The Secretary shall give priority to serving pro-
16 grams and projects that serve geographic areas and
17 eligible populations which have been underserved by
18 the programs assisted under this chapter. Technical
19 training activities shall include the provision of in-
20 formation on authorizing legislation, goals and objec-
21 tives of the program, required activities, eligibility
22 requirements, the application process and applica-
23 tion deadlines, and assistance in the development of
24 program proposals and the completion of program
25 applications.”.



1 (f) RECORDKEEPING AND REPORTING.—Section
2 402A is further amended by inserting after subsection (e)
3 of such section (as redesignated by subsection (a)(1) of
4 this section) the following new subsection:

5 “(f) RECORDKEEPING AND REPORTING.—

6 “(1) IN GENERAL.—The Secretary shall estab-
7 lish uniform reporting requirements and require
8 each recipient of funds under this chapter to submit
9 annually and in electronic form such information in
10 such manner and form and at such time as the Sec-
11 retary may require, except that reporting such infor-
12 mation shall not reveal personally identifiable infor-
13 mation about an individual student.

14 “(2) REPORT TO CONGRESS.—At least once
15 every 2-year period, the Secretary shall prepare and
16 submit to the authorizing committees, a report on
17 the services provided to students that shall include—

18 “(A) a statement for the then most re-
19 cently concluded fiscal year specifying—

20 “(i) the amount of funds received by
21 grantees to provide services under this
22 chapter; and

23 “(ii) the amount of funds received by
24 new grantees to provide services under this
25 chapter;



1 “(B) a description of the specific services
2 provided to students;

3 “(C) a summary of the overall success in
4 achieving specific program outcomes or progress
5 toward such outcomes;

6 “(D) a report of the number of students
7 served by types of service received;

8 “(E) information summarizing the types of
9 organizations that received funds under this
10 chapter; and

11 “(F) a summary of the research and eval-
12 uation activities under section 402H,
13 including—

14 “(i) a status report on ongoing activi-
15 ties; and

16 “(ii) results, conclusions, and rec-
17 ommendations of such activities available
18 after the then most recent report.”.

19 (g) INCREASED MONITORING.—Subsection (h) of
20 such section (as redesignated by subsection (a)(1) of this
21 section) is amended by striking everything after the first
22 sentence and inserting the following: “Of the amount ap-
23 propriated under this chapter, the Secretary may use no
24 more than one half of 1 percent of such amount to support
25 the administration of the Federal TRIO programs includ-



1 ing to increase the level of oversight monitoring, to sup-
2 port impact studies, program assessments and reviews,
3 and to provide technical assistance to prospective appli-
4 cants and current grantees.”.

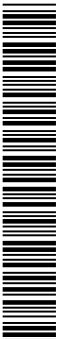
5 (h) EXPECTED PROGRAM OUTCOME.—

6 (1) Section 402B (20 U.S.C. 1070a-12) is
7 amended by adding at the end the following new
8 subsection:

9 “(d) EXPECTED PROGRAM OUTCOME.—For the pur-
10 poses of assessing an applicant’s past performance under
11 section 402A(c)(1), and prior experience under section
12 402A(d)(3), the Secretary shall consider the college-going
13 rate of the participants served by the program compared
14 to that of other applicants eligible to receive consideration
15 of prior experience.”.

16 (2) Section 402C (20 U.S.C. 1070a-12) is
17 amended by adding at the end the following new
18 subsection:

19 “(f) EXPECTED PROGRAM OUTCOME.—For the pur-
20 poses of assessing an applicant’s past performance under
21 section 402A(c)(1), and prior experience under section
22 402A(d)(3), the Secretary shall consider the college-going
23 rate of the participants served by the program compared
24 to that of other applicants eligible to receive consideration
25 of prior experience.”.



1 (3) Section 402D (20 U.S.C. 1070a-12) is
2 amended by adding at the end the following new
3 subsection:

4 “(e) EXPECTED PROGRAM OUTCOME.—For the pur-
5 poses of assessing an applicant’s past performance under
6 section 402A(c)(1), and prior experience under section
7 402A(d)(3), the Secretary shall consider the college-going
8 rate of the participants served by the program compared
9 to that of other applicants eligible to receive consideration
10 of prior experience.”.

11 (4) Section 402E (20 U.S.C. 1070a-12) is
12 amended by striking subsection (f) and inserting the
13 following:

14 “(f) EXPECTED PROGRAM OUTCOME.—For the pur-
15 poses of assessing an applicant’s past performance under
16 section 402A(c)(1), and prior experience under section
17 402A(d)(3), the Secretary shall consider the college-going
18 rate of the participants served by the program compared
19 to that of other applicants eligible to receive consideration
20 of prior experience.”.

21 (5) Section 402F (20 U.S.C. 1070a-12) is
22 amended by adding at the end the following new
23 subsection:

24 “(d) EXPECTED PROGRAM OUTCOME.—For the pur-
25 poses of assessing an applicant’s past performance under



1 section 402A(c)(1), and prior experience under section
2 402A(d)(3), the Secretary shall consider the college-going
3 rate of the participants served by the program compared
4 to that of other applicants eligible to receive consideration
5 of prior experience.”.

6 (i) STAFF DEVELOPMENT.—Section 402G (20
7 U.S.C. 1070a-17) is amended to read as follows:

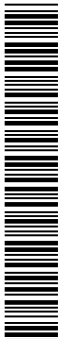
8 **“SEC. 402G. STAFF DEVELOPMENT ACTIVITIES.**

9 “(a) SECRETARY’S AUTHORITY.—For the purpose of
10 improving the operation of the programs and projects au-
11 thorized by this chapter, the Secretary is authorized to
12 make grants to institutions of higher education and other
13 public and private nonprofit institutions and organizations
14 to provide training and technical assistance for staff and
15 leadership personnel employed in, participating in, or pre-
16 paring for employment in, such programs and projects.

17 “(b) CONTENTS OF TRAINING PROGRAMS.—Such
18 training shall be provided to assist programs and projects
19 in—

20 “(1) achieving the expected program outcomes
21 stated under this chapter or additional outcomes
22 identified by individual programs or projects;

23 “(2) addressing any identified program weak-
24 nesses in the overall development, conduct, or ad-
25 ministration of a grant or contract;



1 “(3) improving the quality of services provided
2 to eligible students; or

3 “(4) additional areas in need of program im-
4 provement as identified by the Secretary or as re-
5 quested by grantees in order to enhance program op-
6 erations and outcomes.

7 “(c) CONSULTATION.—Grants for the purposes of
8 this section shall be made only after consultation with re-
9 gional and State professional associations of persons hav-
10 ing special knowledge with respect to the needs and prob-
11 lems of such programs and projects.”.

12 (j) EVALUATIONS.—Section 402H (20 U.S.C. 1070a-
13 18) is amended to read as follows:

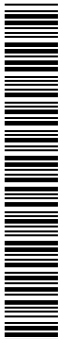
14 **“SEC. 402H. EVALUATIONS.**

15 “(a) EVALUATIONS.—

16 “(1) IN GENERAL.—For the purpose of improv-
17 ing the effectiveness of the programs and projects
18 assisted under this chapter, the Secretary shall make
19 grants to or enter into contracts with one or more
20 organizations to—

21 “(A) evaluate the effectiveness of the pro-
22 grams and projects assisted under this chapter;
23 and

24 “(B) disseminate information on the im-
25 pact of the programs in increasing the edu-



1 cation level of participating students, as well as
2 other appropriate measures.

3 “(2) ISSUES TO BE EVALUATED.—The evalua-
4 tions described in paragraph (1) shall measure the
5 effectiveness of programs under this chapter in—

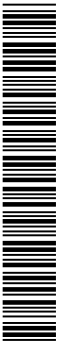
6 “(A) meeting the expected program out-
7 comes stated under this chapter and all per-
8 formance measures identified by the Secretary;

9 “(B) enhancing the access of low-income
10 individuals and first-generation college students
11 to postsecondary education;

12 “(C) preparing individuals and students
13 for postsecondary education;

14 “(D) comparing the level of education com-
15 pleted by students who participate in the pro-
16 grams funded under this chapter with the level
17 of education completed by students of similar
18 backgrounds who do not participate in such
19 programs;

20 “(E) comparing the retention rates, drop-
21 out rates, graduation rates, and college admis-
22 sion and completion rates of students who par-
23 ticipate in the programs funded under this
24 chapter with the rates of students of similar



1 backgrounds who do not participate in such
2 programs; and

3 “(F) such other issues as the Secretary
4 considers appropriate for inclusion in the eval-
5 uation.

6 “(3) PROGRAM METHODS.—Such evaluations
7 shall also investigate the effectiveness of alternative
8 and innovative methods within Federal TRIO pro-
9 grams of increasing access to, and retention of, stu-
10 dents in postsecondary education.

11 “(b) RESULTS.—The Secretary shall submit to the
12 authorizing committees—

13 “(1) an annual interim report on the progress
14 and preliminary results of the evaluation of each
15 program funded under this chapter no later than 2
16 years following the date of enactment of the College
17 Access and Opportunity Act of 2006; and

18 “(2) a final report not later than 3 years fol-
19 lowing the date of enactment of such Act.

20 “(c) PUBLIC AVAILABILITY.—All reports and under-
21 lying data gathered pursuant to this section shall be made
22 available to the public upon request, in a timely manner
23 following submission of the applicable reports under sub-
24 section (b), except that any personally identifiable infor-



1 mation on students participating in any TRIO program
2 shall not be disclosed or made available to the public.”.

3 **SEC. 404. GEARUP.**

4 (a) DURATION OF AWARDS.—Section 404A(b) (20
5 U.S.C. 1070a–21(b)) is amended—

6 (1) in paragraph (2)(B), by striking “Higher
7 Education Amendments of 1998” and inserting
8 “College Access and Opportunity Act of 2006”; and

9 (2) by adding at the end thereof the following
10 new paragraph:

11 “(3) DURATION.—An award made by the Sec-
12 retary under this chapter to an eligible entity de-
13 scribed in paragraph (1) or (2) of subsection (c)
14 shall be for the period of 6 years.”.

15 (b) CONTINUING ELIGIBILITY.—Section 404A (20
16 U.S.C. 1070a–21) is amended by adding at the end the
17 following new subsection:

18 “(d) CONTINUING ELIGIBILITY.—An eligible entity
19 shall not cease to be an eligible entity upon the expiration
20 of any grant under this chapter (including a continuation
21 award).”.

22 (c) CONTINUITY OF SERVICE.—

23 (1) COHORT APPROACH.—Section
24 404B(g)(1)(B) (20 U.S.C. 1070a–22(g)(1)(B)) is
25 amended by inserting “and provide the option of



1 continued services through the student's first year of
2 attendance at an eligible institution of higher edu-
3 cation" after "grade level".

4 (2) EARLY INTERVENTION.—Section 404D (20
5 U.S.C. 1070a–24) is amended—

6 (A) in subsection (b)(2)(A), by inserting
7 “and students in the first year of attendance at
8 an eligible institution of higher education” after
9 “grade 12”; and

10 (B) in subsection (c), by inserting “, and
11 may consider students in their first year of at-
12 tendance at an eligible institution,” after
13 “grade 12”.

14 (d) COORDINATION.—Section 404C(a)(2) (20 U.S.C.
15 1070a–23(a)(2)) is amended—

16 (1) by striking “and” at the end of subpara-
17 graph (A);

18 (2) by redesignating subparagraph (B) as sub-
19 paragraph (C); and

20 (3) by inserting after subparagraph (A) the fol-
21 lowing new subparagraph:

22 “(B) describe activities for coordinating,
23 complementing, and enhancing services under
24 this chapter provided by other eligible entities
25 in the State; and”.



1 (e) EDUCATION AND COUNSELING SERVICES.—Sec-
2 tion 404D(b)(2)(A)(ii) (20 U.S.C. 1070a–24(b)(2)(A)(ii))
3 is amended by striking “and academic counseling” and in-
4 serting “academic counseling, and financial literacy and
5 economic literacy education or counseling”.

6 (f) HOMELESS AND UNACCOMPANIED YOUTH.—Sec-
7 tion 404D is further amended by adding at the end the
8 following new subsection:

9 “(e) HOMELESS AND UNACCOMPANIED YOUTH.—
10 Notwithstanding any other provision of this chapter, indi-
11 viduals who are homeless or unaccompanied youth as de-
12 fined in section 725 of the McKinney-Vento Homeless As-
13 sistance Act shall be eligible to participate in programs
14 under this section.”.

15 (g) REAUTHORIZATION.—Section 404H (20 U.S.C.
16 1070a–28) is amended by striking “\$200,000,000 for fis-
17 cal year 1999 and such sums as may be necessary for each
18 of the 4 succeeding fiscal years” and inserting
19 “\$306,500,000 for fiscal year 2006 and such sums as may
20 be necessary for each of the 5 succeeding fiscal years”.

21 **SEC. 405. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPOR-**
22 **TUNITY GRANTS.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
24 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by strik-
25 ing “\$675,000,000 for fiscal year 1999 and such sums



1 as may be necessary for the 4 succeeding fiscal years” and
2 inserting “\$779,000,000 for fiscal year 2006 and such
3 sums as may be necessary for the 5 succeeding fiscal
4 years”.

5 (b) PRIORITY OF AWARDS.—Paragraph (2) of section
6 413C(c) (20 U.S.C. 1070b-2(c)(2)) is amended to read as
7 follows:

8 “(2) In carrying out paragraph (1) of this subsection,
9 each institution of higher education shall, in the agree-
10 ment made under section 487, assure that the selection
11 procedures—

12 “(A) will give a priority for supplemental grants
13 under this subpart to students who receive Pell
14 Grants and meet the requirements of section 484;
15 and

16 “(B) will award no more than 10 percent of
17 each institution’s allocation received under section
18 413D to students who did not receive Federal Pell
19 Grants in a prior year.”.

20 (c) PHASEOUT OF ALLOCATION BASED ON PREVIOUS
21 ALLOCATIONS.—

22 (1) AMENDMENT.—Subsection (a) of section
23 413D (20 U.S.C. 1070b-3(a)) is amended to read as
24 follows:



1 “(a) ALLOCATION BASED ON PREVIOUS ALLOCA-
2 TION.—

3 “(1) BASE GUARANTEE.—From the amount ap-
4 propriated pursuant to section 413A(b) for each fis-
5 cal year after fiscal year 2007, the Secretary shall,
6 subject to paragraph (2), first allocate to each eligi-
7 ble institution an amount equal to the following per-
8 centage of the amount such institution received
9 under subsection (a) of this section for fiscal year
10 2007 (as such subsection was in effect with respect
11 to allocations for such fiscal year):

12 “(A) 80 percent for fiscal years 2008 and
13 2009;

14 “(B) 60 percent for fiscal years 2010 and
15 2011;

16 “(C) 40 percent for fiscal years 2012 and
17 2013;

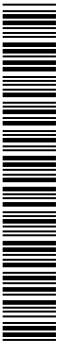
18 “(D) 20 percent for fiscal years 2014 and
19 2015; and

20 “(E) 0 percent for fiscal year 2016 and
21 any succeeding fiscal year.

22 “(2) RATABLE REDUCTIONS FOR INSUFFICIENT
23 APPROPRIATIONS.—

24 “(A) REDUCTION OF BASE GUARANTEE.—

25 If the amount appropriated for any fiscal year



1 is less than the amount required to be allocated
2 to all institutions under this subsection, then
3 the amount of the allocation to each such insti-
4 tution shall be ratably reduced.

5 “(B) ADDITIONAL APPROPRIATIONS ALLO-
6 CATION.—If additional amounts are appro-
7 priated for any such fiscal year, such reduced
8 amounts shall be increased on the same basis as
9 they were reduced (until the amount allocated
10 equals the amount required to be allocated
11 under this subsection).

12 “(3) ADDITIONAL ALLOCATIONS FOR CERTAIN
13 INSTITUTIONS.—

14 “(A) ALLOCATIONS PERMITTED.—Notwith-
15 standing any other provision of this section, the
16 Secretary may allocate an amount equal to not
17 more than 10 percent of the amount by which
18 the amount appropriated in any fiscal year to
19 carry out this subpart exceeds \$700,000,000
20 among eligible institutions described in sub-
21 paragraph (B).

22 “(B) ELIGIBLE INSTITUTIONS.—An other-
23 wise eligible institution may receive a portion of
24 the allocation described in subparagraph (A)
25 if—



1 “(i) not less than 10 percent of the
2 students attending the institution receive
3 Federal Pell Grants; and

4 “(ii)(I) in the case of an institution
5 that offers programs of at least 4 years in
6 duration, if its graduation rate for Federal
7 Pell Grant recipients attending the institu-
8 tion and graduating within the period of
9 time equal to normal duration of the long-
10 est undergraduate program offered by the
11 institution, as measured from the first day
12 of their enrollment, exceeds the median
13 rate for the class of institution (as defined
14 in section 131(f)(5)(C)); or

15 “(II) in the case of an institution that
16 offers programs of at least 2, but less than
17 4, years in duration, if its rate for Federal
18 Pell Grant recipients attending the institu-
19 tion and graduating or transferring to an
20 institution that offers programs of at least
21 4 years in duration within the period of
22 time equal to the normal duration of the
23 program offered, as measured from the
24 first day of their enrollment, exceeds the



1 median rate for the class of institution (as
2 defined in section 131(f)(5)(C)).”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by paragraph (1) shall apply with respect to any
5 amounts appropriated under section 413A(b) of the
6 Higher Education Act of 1965 (20 U.S.C. 1070b(b))
7 for fiscal year 2008 or any succeeding fiscal year.

8 (d) BOOKS AND SUPPLIES.—Section 413D(c)(3)(D)
9 (20 U.S.C. 1070–3(c)(3)(D)) is amended by striking
10 “\$450” and inserting “\$600”.

11 **SEC. 406. LEAP.**

12 Section 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is
13 amended—

14 (1) by striking “1999” and inserting “2006”;
15 and

16 (2) by striking “4 succeeding” and inserting “5
17 succeeding”.

18 **SEC. 407. HEP/CAMP PROGRAM.**

19 Section 418A (20 U.S.C. 1070d–2) is amended—

20 (1) in subsection (b)(1)(B)(i), by inserting “, or
21 whose spouse” after “themselves”;

22 (2) in subsection (b)(3)(B), by inserting “, in-
23 cluding preparation for college entrance exams”
24 after “program”;



1 (3) in subsection (b)(8), by inserting “, includ-
2 ing child care and transportation” after “supportive
3 services”;

4 (4) by striking “and” at the end of subsection
5 (b)(7), by striking the period at the end of sub-
6 section (b)(8) and inserting “; and”, and by adding
7 at the end of subsection (b) the following new para-
8 graph:

9 “(9) follow-up activity and reporting require-
10 ments, except that not more than 2 percent of the
11 funds provided under this section may be used for
12 such purposes.”;

13 (5) in subsection (c)(1)(A), by inserting “, or
14 whose spouse” after “themselves”;

15 (6) in subsection (c)(1)(B), by striking clause
16 (i) and inserting the following:

17 “(i) personal, academic, career, and eco-
18 nomic education or personal finance counseling
19 as an ongoing part of the program;”;

20 (7) in subsection (c)(2)(B), by inserting “(in-
21 cluding mentoring and guidance of such students)”
22 after “services”;

23 (8) in subsection (c)(2), by striking “and” at
24 the end of subparagraph (A), by striking the period
25 at the end of subparagraph (B) and inserting “;



1 and”, and by adding at the end of subsection (c)(2)
2 the following new subparagraph:

3 “(C) for students in any program that does not
4 award a bachelor’s degree, encouraging the transfer
5 to, and persistence in, such a program, and moni-
6 toring the rate of such transfer, persistence, and
7 completion.”;

8 (9) in subsection (e), by striking “section
9 402A(c)(1)” and inserting “section 402A(c)(2)”;
10 and

11 (10) in subsection (h)—

12 (A) in paragraph (1), by striking
13 “\$15,000,000 for fiscal year 1999 and such
14 sums as may be necessary for each of the 4
15 succeeding fiscal years” and inserting
16 “\$24,000,000 for fiscal year 2006 and such
17 sums as may be necessary for each of the 5
18 succeeding fiscal years”; and

19 (B) in paragraph (2), by striking
20 “\$5,000,000 for fiscal year 1999 and such
21 sums as may be necessary for each of the 4
22 succeeding fiscal years” and inserting
23 “\$16,000,000 for fiscal year 2006 and such
24 sums as may be necessary for each of the 5
25 succeeding fiscal years”.



1 **SEC. 408. ROBERT C. BYRD HONORS SCHOLARSHIP PRO-**
2 **GRAM.**

3 Subpart 6 of part A of title IV is amended to read
4 as follows:

5 **“Subpart 6—Robert C. Byrd Honors Scholarship**
6 **Program**

7 **“SEC. 419A. ROBERT C. BYRD MATHEMATICS AND SCIENCE**
8 **HONORS SCHOLARSHIP PROGRAM.**

9 “(a) PURPOSE.—The purpose of this section is to
10 award scholarships to students who are enrolled in studies
11 leading to baccalaureate and advanced degrees in physical,
12 life, or computer sciences, mathematics, and engineering.

13 “(b) DEFINITIONS.—As used in this section—

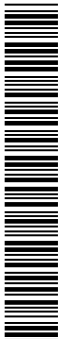
14 “(1) the term ‘computer science’ means the
15 branch of knowledge or study of computers, includ-
16 ing such fields of knowledge or study as computer
17 hardware, computer software, computer engineering,
18 information systems, and robotics;

19 “(2) the term ‘eligible student’ means a student
20 who—

21 “(A) is a citizen of the United States;

22 “(B) is selected by the managing agent to
23 receive a scholarship;

24 “(C) is enrolled full-time in an institution
25 of higher education, other than a United States
26 service academy; and

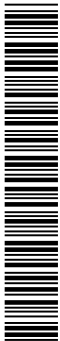


1 “(D) has shown a commitment to and is
2 pursuing a major in studies leading to a bacca-
3 laureate, masters, or doctoral degree (or a com-
4 bination thereof) in physical, life, or computer
5 sciences, mathematics, or engineering;

6 “(3) the term ‘engineering’ means the science
7 by which the properties of matter and the sources of
8 energy in nature are made useful to humanity in
9 structures, machines, and products, as in the con-
10 struction of engines, bridges, buildings, mines, and
11 chemical plants, including such fields of knowledge
12 or study as aeronautical engineering, chemical engi-
13 neering, civil engineering, electrical engineering, in-
14 dustrial engineering, materials engineering, manu-
15 facturing engineering, and mechanical engineering;

16 “(4) the term ‘life sciences’ means the branch
17 of knowledge or study of living things, including
18 such fields of knowledge or study as biology, bio-
19 chemistry, biophysics, microbiology, genetics, physi-
20 ology, botany, zoology, ecology, and behavioral biol-
21 ogy, except that the term does not encompass social
22 psychology or the health professions;

23 “(5) the term ‘managing agent’ means an enti-
24 ty to which an award is made under subsection (c)



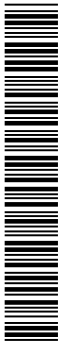
1 to manage a program of Mathematics and Science
2 Honors Scholarships;

3 “(6) the term ‘mathematics’ means the branch
4 of knowledge or study of numbers and the system-
5 atic treatment of magnitude, relationships between
6 figures and forms, and relations between quantities
7 expressed symbolically, including such fields of
8 knowledge or study as statistics, applied mathe-
9 matics, and operations research; and

10 “(7) the term ‘physical sciences’ means the
11 branch of knowledge or study of the material uni-
12 verse, including such fields of knowledge or study as
13 astronomy, atmospheric sciences, chemistry, earth
14 sciences, ocean sciences, physics, and planetary
15 sciences.

16 “(c) AWARD.—

17 “(1)(A) From funds authorized under section
18 419D to carry out this section, the Secretary is au-
19 thorized, through a grant or cooperative agreement,
20 to make an award to a private, non-profit organiza-
21 tion, other than an institution of higher education or
22 system of institutions of higher education, to man-
23 age, through a public and private partnership, a pro-
24 gram of Mathematics and Science Honors Scholar-
25 ships under this section.



1 “(B) The award under subparagraph (A) shall
2 be for a five-year period.

3 “(2)(A) One hundred percent of the funds
4 awarded under paragraph (1)(A) for any fiscal year
5 shall be obligated and expended solely on scholar-
6 ships to eligible students.

7 “(B) No Federal funds shall be used to provide
8 more than 50 percent of the cost of any scholarship
9 to an eligible student.

10 “(C) The maximum scholarship award shall be
11 the difference between an eligible student’s cost of
12 attendance minus any non-loan based aid such stu-
13 dent receives.

14 “(3)(A) The secretary may establish—

15 “(i) eligibility criteria for applicants for
16 managing agent, including criteria regarding fi-
17 nancial and administrative capability; and

18 “(ii) operational standards for the man-
19 aging agent, including management and per-
20 formance requirements, such as audit, record-
21 keeping, record retention, and reporting proce-
22 dures and requirements.

23 “(B) The Secretary, as necessary, may review
24 and revise any criteria, standards, and rules estab-
25 lished under this paragraph and, through the agree-



1 ment with the managing agent, see that any revi-
2 sions are implemented.

3 “(4) If the managing agent fails to meet the re-
4 quirements of this section the Secretary may termi-
5 nate the award to the managing agent.

6 “(5) The Secretary shall conduct outreach ef-
7 forts to help raise awareness of the Mathematics and
8 Science Honors Scholarships.

9 “(d) DUTIES OF THE MANAGING AGENT.—The man-
10 aging agent shall—

11 “(1) develop criteria to award Mathematics and
12 Science Honors Scholarships based on established
13 measurements available to secondary students who
14 wish to pursue degrees in physical, life, or computer
15 sciences, mathematics, and engineering;

16 “(2) establish a Mathematics and Science Hon-
17 ors Scholarship Fund in a separate, named account
18 that clearly discloses the amount of Federal and
19 non-Federal funds deposited in the account and used
20 for scholarships under this section;

21 “(3) solicit funds for scholarships and for the
22 administration of the program from non-Federal
23 sources;

24 “(4) solicit applicants for scholarships;



1 “(5) from the amounts in the Fund, award
2 scholarships to eligible students and transfer such
3 funds to the institutions of higher education that
4 they attend; and

5 “(6) annually submit to the Secretary a finan-
6 cial audit and a report on the progress of the pro-
7 gram, and such other documents as the Secretary
8 may require to determine the effective management
9 of the program.

10 “(e) APPLICATIONS.—

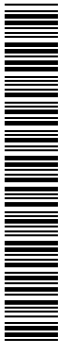
11 “(1) Any eligible entity that desires to be the
12 managing agent under this section shall submit an
13 application to the Secretary, in such form and con-
14 taining such information, as the Secretary may re-
15 quire.

16 “(2) Each application shall include a descrip-
17 tion of—

18 “(A) how the applicant meets or will meet
19 requirements established under subsections
20 (c)(3)(A) and (d);

21 “(B) how the applicant will solicit funds
22 for scholarships and for the administration of
23 the program from non-Federal sources;

24 “(C) how the applicant will provide nation-
25 wide outreach to inform students about the pro-



1 gram and to encourage students to pursue de-
2 grees in physical, life, or computer sciences,
3 mathematics, and engineering;

4 “(D) how the applicant will solicit applica-
5 tions for scholarships, including how the appli-
6 cant will balance efforts in urban and rural
7 areas;

8 “(E) the selection criteria based on estab-
9 lished measurements available to secondary stu-
10 dents the applicant will use to award scholar-
11 ships and to renew those awards;

12 “(F) how the applicant will inform the in-
13 stitution of higher education chosen by the re-
14 cipient of the name and scholarship amount of
15 the recipient;

16 “(G) what procedures and assurances the
17 applicant and the institution of higher edu-
18 cation that the recipient attends will use to ver-
19 ify student eligibility, attendance, degree
20 progress, and academic performance and to de-
21 liver and account for payments to such institu-
22 tion;

23 “(H) the management (including audit and
24 accounting) procedures the applicant will use
25 for the program;



1 “(I) the human, financial, and other re-
2 sources that the applicant will need and use to
3 manage the program;

4 “(J) how the applicant will evaluate the
5 program and report to the Secretary annually;
6 and

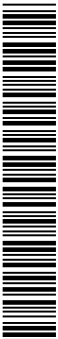
7 “(K) a description of how the entity will
8 coordinate with, complement, and build on simi-
9 lar public and private mathematics and science
10 programs.

11 “(f) SCHOLARSHIP RECIPIENTS.—

12 “(1) A student receiving a scholarship under
13 this section shall be known as a ‘Byrd Mathematics
14 and Science Honors Scholar’.

15 “(2) Any student desiring to receive a scholar-
16 ship under this section shall submit an application
17 to the managing agent in such form, and containing
18 such information, as the managing agent may re-
19 quire.

20 “(3) Any student that receives a scholarship
21 under this section shall enter into an agreement with
22 the managing agent to complete 5 consecutive years
23 of service to begin no later than 12 months following
24 completion of the final degree in a position related



1 to physical, life, or computer sciences, mathematics,
2 or engineering as defined under this section.

3 “(4) If any student that receives a scholarship
4 under this section fails to earn at least a bacca-
5 laureate degree in physical, life, or computer
6 sciences, mathematics, or engineering as defined
7 under this section, the student shall repay to the
8 managing agent the amount of any financial assist-
9 ance paid to such student.

10 “(5) If any student that receives a scholarship
11 under this section fails to meet the requirements of
12 paragraph (3), the student shall repay to the man-
13 aging agent the amount of any financial assistance
14 paid to such student.

15 “(6)(A) Scholarships shall be awarded for only
16 one academic year of study at a time.

17 “(B)(i) A scholarship shall be renewable on an
18 annual basis for the established length of the aca-
19 demic program if the student awarded the scholar-
20 ship remains eligible.

21 “(ii) The managing agent may condition re-
22 newal of a scholarship on measures of academic
23 progress and achievement, with the approval of the
24 Secretary.



1 “(C)(i) If a student fails to either remain eligi-
2 ble or meet established measures of academic
3 progress and achievement, the managing agent shall
4 instruct the student’s institution of higher education
5 to suspend payment of the student’s scholarship.

6 “(ii) A suspension of payment shall remain in
7 effect until the student is able to demonstrate to the
8 satisfaction of the managing agent that he or she is
9 again eligible and meets the established measures of
10 academic progress and achievement.

11 “(iii) A student’s eligibility for a scholarship
12 shall be terminated if a suspension period exceeds
13 12 months.

14 “(D)(i)(I) A student awarded a scholarship
15 may, in a manner and under the terms established
16 by, and with the approval of, the managing agent,
17 postpone or interrupt his or her enrollment at an in-
18 stitution of higher education for up to 12 months.

19 “(II) Such a postponement or interruption
20 shall not be considered a suspension for pur-
21 poses of subparagraph (C).

22 “(ii) Neither a student nor the student’s insti-
23 tution of higher education shall receive the student’s
24 scholarship payments during the period of postpone-



1 ment or interruption, but such payments shall re-
2 sume upon enrollment or reenrollment.

3 “(iii) In exceptional circumstances, such as seri-
4 ous injury or illness or the necessity to care for fam-
5 ily members, the student’s postponement or inter-
6 ruption may, upon notification and approval of the
7 managing agent, be extended beyond the 12 month
8 period described in clause (i)(I).

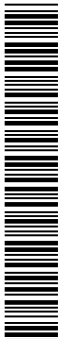
9 “(g) RESPONSIBILITIES OF INSTITUTION OF HIGHER
10 EDUCATION.—

11 “(1) The managing agent shall require any in-
12 stitution of higher education that enrolls a student
13 who receives a scholarship under this section to an-
14 nually provide an assurance, prior to making any
15 payment, that the student—

16 “(A) is eligible in accordance with subsection
17 (b)(2); and

18 “(B) has provided the institution with a written
19 commitment to attend, or is attending, classes and
20 is satisfactorily meeting the institution’s academic
21 criteria for enrollment in its program of study.

22 “(2)(A) The managing agent shall provide the
23 institution of higher education with payments from
24 the Fund for selected recipients in at least two in-
25 stallments.



1 “(B) An institution of higher education shall re-
2 turn prorated amounts of any scholarship payment
3 to the managing agent, who shall deposit it in to the
4 Fund, if a recipient declines a scholarship, does not
5 attend courses, transfers to another institution of
6 higher education, or becomes ineligible for a scholar-
7 ship.

8 **“SEC. 419B. MATHEMATICS AND SCIENCE INCENTIVE PRO-**
9 **GRAM.**

10 “(a) PROGRAM.—

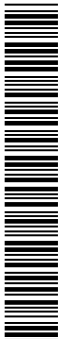
11 “(1) IN GENERAL.—The Secretary is authorized
12 to carry out a program of assuming the obligation
13 to pay, pursuant to the provisions of this section, the
14 interest on a loan made, insured, or guaranteed
15 under part B or D of this title.

16 “(2) ELIGIBILITY.—The Secretary may assume
17 interest payments under paragraph (1) only for a
18 borrower who—

19 “(A) has submitted an application in com-
20 pliance with subsection (d);

21 “(B) obtained one or more loans described
22 in paragraph (1) as an undergraduate student;

23 “(C) is a new borrower (within the mean-
24 ing of section 103(7) of this Act) on or after



1 the date of enactment of the College Access and
2 Opportunity Act of 2006;

3 “(D) is a highly qualified teacher of
4 science, technology, engineering or mathematics
5 at an elementary or secondary school in a high
6 need local educational agency, or is a mathe-
7 matics, science, or engineering professional; and

8 “(E) enters into an agreement with the
9 Secretary to complete 5 consecutive years of
10 service in a position described in subparagraph
11 (D), starting on the date of the agreement.

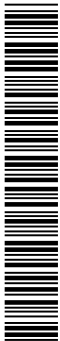
12 “(3) PRIOR INTEREST LIMITATIONS.—The Sec-
13 retary shall not make any payments for interest
14 that—

15 “(A) accrues prior to the beginning of the
16 repayment period on a loan in the case of a
17 loan made under section 428H or a Federal Di-
18 rect Unsubsidized Stafford Loan; or

19 “(B) has accrued prior to the signing of an
20 agreement under paragraph (2)(E).

21 “(4) INITIAL SELECTION.—In selecting partici-
22 pants for the program under this section, the
23 Secretary—

24 “(A) shall choose among eligible applicants
25 on the basis of—



1 “(i) the national security, homeland
2 security, and economic security needs of
3 the United States, as determined by the
4 Secretary, in consultation with other Fed-
5 eral agencies, including the Departments
6 of Labor, Defense, Homeland Security,
7 Commerce, and Energy, the Central Intel-
8 ligence Agency, and the National Science
9 Foundation; and

10 “(ii) the academic record or job per-
11 formance of the applicant; and

12 “(B) may choose among eligible applicants
13 on the basis of—

14 “(i) the likelihood of the applicant to
15 complete the 5-year service obligation;

16 “(ii) the likelihood of the applicant to
17 remain in science, mathematics, or engi-
18 neering after the completion of the service
19 requirement; or

20 “(iii) other relevant criteria deter-
21 mined by the Secretary.

22 “(5) AVAILABILITY SUBJECT TO APPROPRIA-
23 TIONS.—Loan interest payments under this section
24 shall be subject to the availability of appropriations.
25 If the amount appropriated for any fiscal year is not



1 sufficient to provide interest payments on behalf of
2 all qualified applicants, the Secretary shall give pri-
3 ority to those individuals on whose behalf interest
4 payments were made during the preceding fiscal
5 year.

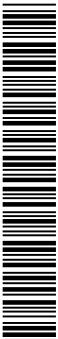
6 “(6) REGULATIONS.—The Secretary is author-
7 ized to prescribe such regulations as may be nec-
8 essary to carry out the provisions of this section.

9 “(b) DURATION AND AMOUNT OF INTEREST PAY-
10 MENTS.—The period during which the Secretary shall pay
11 interest on behalf of a student borrower who is selected
12 under subsection (a) is the period that begins on the effec-
13 tive date of the agreement under subsection (a)(2)(E),
14 continues after successful completion of the service obliga-
15 tion, and ends on the earlier of—

16 “(1) the completion of the repayment period of
17 the loan;

18 “(2) payment by the Secretary of a total of
19 \$5,000 on behalf of the borrower;

20 “(3) if the borrower ceases to fulfill the service
21 obligation under such agreement prior to the end of
22 the 5-year period, as soon as the borrower is deter-
23 mined to have ceased to fulfill such obligation in ac-
24 cordance with regulations of the Secretary; or



1 “(4) 6 months after the end of any calendar
2 year in which the borrower’s gross income equals or
3 exceeds 4 times the national per capita disposable
4 personal income (current dollars) for such calendar
5 year, as determined on the basis of the National In-
6 come and Product Accounts Tables of the Bureau of
7 Economic Analysis of the Department of Commerce,
8 as determined in accordance with regulations pre-
9 scribed by the Secretary.

10 “(c) REPAYMENT TO ELIGIBLE LENDERS.—Subject
11 to the regulations prescribed by the Secretary by regula-
12 tion under subsection (a)(6), the Secretary shall pay to
13 each eligible lender or holder for each payment period the
14 amount of the interest that accrues on a loan of a student
15 borrower who is selected under subsection (a).

16 “(d) APPLICATION FOR REPAYMENT.—

17 “(1) IN GENERAL.—Each eligible individual de-
18 siring loan interest payment under this section shall
19 submit a complete and accurate application to the
20 Secretary at such time, in such manner, and con-
21 taining such information as the Secretary may re-
22 quire.

23 “(2) FAILURE TO COMPLETE SERVICE AGREE-
24 MENT.—Such application shall contain an agreement
25 by the individual that, if the individual fails to com-



1 plete the 5 consecutive years of service required by
2 subsection (a)(2)(E), the individual agrees to repay
3 the Secretary the amount of any interest paid by the
4 Secretary on behalf of the individual.

5 “(e) TREATMENT OF CONSOLIDATION LOANS.—A
6 consolidation loan made under section 428C of this Act,
7 or a Federal Direct Consolidation Loan made under part
8 D of title IV of this Act, may be a qualified loan for the
9 purpose of this section only to the extent that such loan
10 amount was used by a borrower who otherwise meets the
11 requirements of this section to repay—

12 “(1) a loan made under section 428 or 428H
13 of this Act; or

14 “(2) a Federal Direct Stafford Loan, or a Fed-
15 eral Direct Unsubsidized Stafford Loan, made under
16 part D of title IV of this Act.

17 “(f) PREVENTION OF DOUBLE BENEFITS.—No bor-
18 rower may, for the same service, receive a benefit under
19 both this section and—

20 “(1) any loan forgiveness program under title
21 IV of this Act; or

22 “(2) subtitle D of title I of the National and
23 Community Service Act of 1990 (42 U.S.C. 12601
24 et seq.).

25 “(g) DEFINITIONS.—As used in this section—



1 “(1) the term ‘high need local educational agen-
2 cy’ has the same meaning given such term in section
3 201(b)(4); and

4 “(2) the term ‘mathematics, science, or engi-
5 neering professional’ means a person who—

6 “(A) holds a baccalaureate, masters, or
7 doctoral degree (or a combination thereof) in
8 science, mathematics, or engineering; and

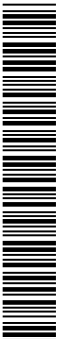
9 “(B) works in a field the Secretary deter-
10 mines is closely related to that degree, which
11 shall include working as a professor at a two-
12 or four-year institution of higher education.

13 **“SEC. 419C. MATHEMATICS AND SCIENCE EDUCATION CO-
14 ORDINATING COUNCIL GRANTS.**

15 “(a) PURPOSES.—The purposes of this section
16 include—

17 “(1) supporting programs that encourage stu-
18 dents to enroll in and successfully complete bacca-
19 laureate and advanced degrees in science, tech-
20 nology, engineering, and mathematics;

21 “(2) achieving the common objective of orga-
22 nizing, leading, and implementing State-based re-
23 form agendas that support the continuing improve-
24 ment of mathematics and science education; and



1 “(3) improving collaboration in a State among
2 the State educational agency, 2-year and 4-year in-
3 stitutions of higher education, and the business com-
4 munity through the development or improvement of
5 a coordinating council.

6 “(b) DEFINITIONS.—For the purposes of this section:

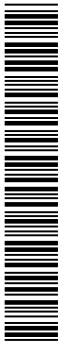
7 “(1) the term ‘eligible State’ means—

8 “(A) the Governor of a State; or

9 “(B) in the case of a State for which the
10 constitution or laws of the State designate an
11 individual, entity, or agency in the State, other
12 than the Governor, to be responsible for coordi-
13 nation among segments of the State’s edu-
14 cational systems, such individual, entity, or
15 agency.

16 “(2) the term ‘mathematics and science edu-
17 cation coordinating council’ means an organization
18 that is charged by a State with coordinating mathe-
19 matics and science education in the State. Such a
20 council shall be composed of education, business,
21 and community leaders working together to increase
22 student participation and academic achievement in
23 mathematics and science.

24 “(c) STATE GRANTS.—From amounts made available
25 under section 419D for this section, the Secretary is au-



1 thorized to use not more than \$5,000,000 to award grants
2 on a competitive basis to eligible States for the purpose
3 of carrying out activities described in subsection (d).

4 “(d) USES OF FUNDS.—An eligible State that re-
5 ceives a grant under this section is authorized to use grant
6 funds to carry out one or more of the following activities:

7 “(1) In a State in which a mathematics and
8 science education coordinating council does not exist,
9 planning and establishing such a council.

10 “(2) In a State in which such a council exists,
11 reforming or expanding the activities of the council,
12 including implementing State-based reform agendas
13 that support the continuing improvement of mathe-
14 matics and science education, and support services
15 that lead to better teacher recruitment and training,
16 increased student academic achievement, and in-
17 creased student enrollment and degree attainment in
18 science, technology, engineering, and mathematics.

19 “(3) Coordinating with activities under part B
20 of title II of the Elementary and Secondary Edu-
21 cation Act of 1965 and with title II of this Act, es-
22 pecially as it pertains to the recruitment and prepa-
23 ration of highly qualified mathematics and science
24 teachers.



1 “(e) APPLICATION.—To be eligible to receive a grant
2 under this section, an eligible State shall submit an appli-
3 cation to the Secretary that—

4 “(1) describes the activities the State will carry
5 out with the funds;

6 “(2) contains a plan for continuing such activi-
7 ties once Federal funding ceases; and

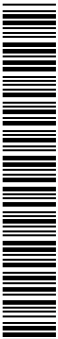
8 “(3) contains such other information and assur-
9 ances as the Secretary may require.

10 “(f) CONSULTATION.—The Governor of a State, or
11 the individual, entity, or agency in the State described in
12 subsection (b)(1)(B), shall consult with the State board
13 of education, State educational agency, and the State
14 agency for higher education, as appropriate, with respect
15 to the activities assisted under this section. In the case
16 of an individual, entity, or agency described in subsection
17 (b)(1)(B), such consultation shall also include the Gov-
18 ernor.

19 “(g) CONSTRUCTION.—Nothing in this section shall
20 be construed to negate or supersede the legal authority
21 under State law of any State agency, State entity, or State
22 public official over programs that are under the jurisdic-
23 tion of the agency, entity, or official.

24 “(h) ADMINISTRATIVE PROVISIONS.—

25 “(1) IN GENERAL.—



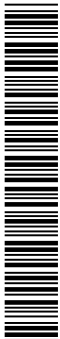
1 “(A) Grants awarded under this section
2 shall be awarded for a period not to exceed 5
3 years.

4 “(B) A grantee may receive a grant under
5 this part only once.

6 “(C) Payments of grant funds under this
7 section shall be annual.

8 “(2) SECRETARIAL SELECTIONS.—The Sec-
9 retary shall determine which applications receive
10 funds under this section, and the amount of the
11 grant. In determining grant amounts, the Secretary
12 shall take into account the total amount of funds
13 available for all grants under this section and the
14 nature of each grant proposal, including whether
15 funds are being sought to assist in the creation of
16 a new State mathematics and science education co-
17 ordinating council or to extend the work of an exist-
18 ing council. The Secretary shall also take into ac-
19 count the equitable geographic distribution of grants
20 throughout the United States.

21 “(3) MATCHING REQUIREMENT.—Each eligible
22 State receiving a grant under this section shall pro-
23 vide, from non-Federal sources, an amount equal to
24 50 percent of the amount of the grant (in cash or



1 in kind) to carry out the activities supported by the
2 grant.

3 “(i) ACCOUNTABILITY AND EVALUATION.—

4 “(1) STATE GRANT ACCOUNTABILITY RE-
5 PORT.—An eligible State that receives a grant under
6 this section shall submit an annual accountability re-
7 port to the Secretary. Such report shall include a de-
8 scription of the degree to which the eligible State, in
9 using grant funds, has made substantial progress in
10 meeting its objectives.

11 “(2) EVALUATION AND DISSEMINATION.—The
12 Secretary shall evaluate the activities funded under
13 this section and report the Secretary’s findings re-
14 garding such activities to the authorizing commit-
15 tees. The Secretary shall broadly disseminate suc-
16 cessful practices developed by eligible States under
17 this section, and shall broadly disseminate informa-
18 tion regarding such practices that were found to be
19 ineffective.

20 “(3) REVOCATION.—If the Secretary deter-
21 mines that an eligible State is not making substan-
22 tial progress in meeting the purposes, objectives, and
23 measures, as appropriate, required under this sec-
24 tion by the end of the second year of a grant, then



1 the grant payment shall not be made for the third
2 year and subsequent years of the grant.

3 **“SEC. 419D. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated
5 \$41,000,000 for fiscal year 2006 and such sums as may
6 be necessary for each of the 5 succeeding fiscal years to
7 carry out this subpart.”.

8 **SEC. 409. CHILD CARE ACCESS.**

9 Section 419N(g) (20 U.S.C. 1070e(g)) is amended—
10 (1) by striking “1999” and inserting “2006”;
11 and
12 (2) by striking “4 succeeding” and inserting “5
13 succeeding”.

14 **SEC. 410. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.**

15 (a) REPEAL.—Subpart 8 of part A of title IV (20
16 U.S.C. 1070f—1070f–6) is repealed.

17 (b) CONFORMING AMENDMENT.—Section 400(b) (20
18 U.S.C. 1070(b)) is amended by striking “through 8” and
19 inserting “through 7”.

20 **PART B—FEDERAL FAMILY EDUCATION LOAN**
21 **PROGRAM**

22 **SEC. 421. LOAN FORGIVENESS FOR SERVICE IN AREAS OF**
23 **NATIONAL NEED.**

24 Section 428K (20 U.S.C. 1078–11) is amended to
25 read as follows:



1 **“SEC. 428K. LOAN FORGIVENESS FOR SERVICE IN AREAS OF**
2 **NATIONAL NEED.**

3 “(a) PURPOSES.—The purposes of this section are—

4 “(1) to encourage highly trained individuals to
5 enter and continue in service in areas of national
6 need; and

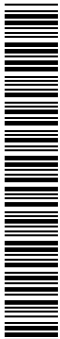
7 “(2) to reduce the burden of student debt for
8 Americans who dedicate their careers to service in
9 areas of national need.

10 “(b) PROGRAM AUTHORIZED.—

11 “(1) IN GENERAL.—The Secretary is authorized
12 to carry out a program of assuming the obligation
13 to repay, pursuant to paragraphs (2) of subsection
14 (c) and subsection (d), a qualified loan amount for
15 a loan made, insured, or guaranteed under this part
16 or part D (other than loans made under section
17 428B and 428C and comparable loans made under
18 part D), for any new borrower after the date of en-
19 actment of the College Access and Opportunity Act
20 of 2006, who—

21 “(A) has been employed full-time for at
22 least 5 consecutive complete school, academic,
23 or calendar years, as appropriate, in an area of
24 national need described in subsection (c); and

25 “(B) is not in default on a loan for which
26 the borrower seeks forgiveness.



1 “(2) AWARD BASIS.—Loan repayment under
2 this section shall be on a first-come, first-served
3 basis pursuant to the designation under subsection
4 (c) and subject to the availability of appropriations.

5 “(3) REGULATIONS.—The Secretary is author-
6 ized to issue such regulations as may be necessary
7 to carry out the provisions of this section.

8 “(c) AREAS OF NATIONAL NEED.—

9 “(1) STATUTORY CATEGORIES.—For purposes
10 of this section, an individual shall be treated as em-
11 ployed in an area of national need if the individual
12 is employed full time and is any of the following:

13 “(A) EARLY CHILDHOOD EDUCATORS.—An
14 individual who is employed as an early child-
15 hood educator in an eligible preschool program
16 or child care facility in a low-income commu-
17 nity, and who is involved directly in the care,
18 development and education of infants, toddlers,
19 or young children through age five.

20 “(B) NURSES.—An individual who is
21 employed—

22 “(i) as a nurse in a clinical setting; or

23 “(ii) as a member of the nursing fac-
24 ulty at an accredited school of nursing (as
25 those terms are defined in section 801 of



1 the Public Health Service Act (42 U.S.C.
2 296)).

3 “(C) FOREIGN LANGUAGE SPECIALISTS.—
4 An individual who has obtained a baccalaureate
5 degree in a critical foreign language and is
6 employed—

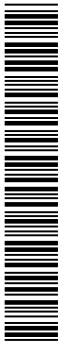
7 “(i) in an elementary or secondary
8 school as a teacher of a critical foreign lan-
9 guage; or

10 “(ii) in an agency of the United
11 States Government in a position that regu-
12 larly requires the use of such critical for-
13 eign language.

14 “(D) LIBRARIANS.—An individual who is
15 employed full-time as a librarian in—

16 “(i) a public library that serves a geo-
17 graphic area within which the public
18 schools have a combined average of 30 per-
19 cent or more of their total student enroll-
20 ments composed of children counted under
21 section 1113(a)(5) of the Elementary and
22 Secondary Education Act of 1965; or

23 “(ii) an elementary or secondary
24 school which is in the school district of a
25 local educational agency which is eligible in



1 such year for assistance pursuant to title I
2 of the Elementary and Secondary Edu-
3 cation Act of 1965, and which for the pur-
4 pose of this paragraph and for that year
5 has been determined by the Secretary
6 (pursuant to regulations and after con-
7 sultation with the State educational agency
8 of the State in which the school is located)
9 to be a school in which the enrollment of
10 children counted under section 1113(a)(5)
11 of the Elementary and Secondary Edu-
12 cation Act of 1965 exceeds 30 percent of
13 the total enrollment of that school.

14 “(E) HIGHLY QUALIFIED TEACHERS: BI-
15 LINGUAL EDUCATION AND LOW-INCOME COM-
16 MUNITIES.—An individual who—

17 “(i) is highly qualified as such term is
18 defined in section 9101 of the Elementary
19 and Secondary Education Act of 1965; and

20 “(ii)(I) is employed as a full-time
21 teacher of bilingual education; or

22 “(II) is employed as a teacher for
23 service in a public or nonprofit private ele-
24 mentary or secondary school which is in
25 the school district of a local educational



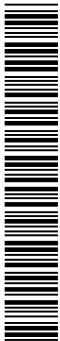
1 agency which is eligible in such year for
2 assistance pursuant to title I of the Ele-
3 mentary and Secondary Education Act of
4 1965, and which for the purpose of this
5 paragraph and for that year has been de-
6 termined by the Secretary (pursuant to
7 regulations and after consultation with the
8 State educational agency of the State in
9 which the school is located) to be a school
10 in which the enrollment of children counted
11 under section 1113(a)(5) of the Elemen-
12 tary and Secondary Education Act of 1965
13 exceeds 40 percent of the total enrollment
14 of that school.

15 “(F) FIRST RESPONDERS IN LOW-INCOME
16 COMMUNITIES.—An individual who—

17 “(i) is employed as a firefighter, police
18 officer, or emergency medical technician;
19 and

20 “(ii) serves as such in a low-income
21 community.

22 “(G) CHILD WELFARE WORKERS.—An in-
23 dividual who—



1 “(i) has obtained a degree in social
2 work or a related field with a focus on
3 serving children and families; and

4 “(ii) is employed in public or private
5 child welfare services.

6 “(H) SPEECH-LANGUAGE PATHOLO-
7 GISTS.—An individual who is a speech-language
8 pathologist, who is employed in an eligible pre-
9 school program or an elementary or secondary
10 school, and who has, at a minimum, a graduate
11 degree in speech-language pathology, or com-
12 munication sciences and disorders.

13 “(I) ADDITIONAL AREAS OF NATIONAL
14 NEED.—An individual who is employed in an
15 area designated by the Secretary under para-
16 graph (2) and has completed a baccalaureate or
17 advanced degree related to such area.

18 “(2) DESIGNATION OF AREAS OF NATIONAL
19 NEED.—After consultation with appropriate Federal,
20 State, and community-based agencies and organiza-
21 tions, the Secretary shall designate areas of national
22 need. In making such designations, the Secretary
23 shall take into account the extent to which—

24 “(A) the national interest in the area is
25 compelling;



1 “(B) the area suffers from a critical lack
2 of qualified personnel; and

3 “(C) other Federal programs support the
4 area concerned.

5 “(d) QUALIFIED LOAN AMOUNT.—The Secretary
6 shall repay not more than \$5,000 in the aggregate of the
7 loan obligation on a loan made under section 428 or 428H
8 that is outstanding after the completion of the fifth con-
9 secutive school, academic, or calendar year, as appro-
10 priate, described in subsection (b)(1).

11 “(e) CONSTRUCTION.—Nothing in this section shall
12 be construed to authorize the refunding of any repayment
13 of a loan made under section 428 or 428H.

14 “(f) INELIGIBILITY OF NATIONAL SERVICE AWARD
15 RECIPIENTS.—No student borrower may, for the same
16 service, receive a benefit under both this section and sub-
17 title D of title I of the National and Community Service
18 Act of 1990 (42 U.S.C. 12601 et seq.).

19 “(g) INELIGIBILITY FOR DOUBLE BENEFITS.—No
20 borrower may receive a reduction of loan obligations under
21 both this section and section 428J or 460.

22 “(h) DEFINITIONS.—In this section

23 “(1) CHILD CARE FACILITY.—The term ‘child
24 care facility’ means a facility, including a home,
25 that—



1 “(A) provides for the education and care of
2 children from birth through age 5; and

3 “(B) meets any applicable State or local
4 government licensing, certification, approval, or
5 registration requirements.

6 “(2) CRITICAL FOREIGN LANGUAGE.—The term
7 ‘critical foreign language’ includes the languages of
8 Arabic, Korean, Japanese, Chinese, Pashto, Persian-
9 Farsi, Serbian-Croatian, Russian, Portuguese, and
10 any other language identified by the Secretary of
11 Education, in consultation with the Defense Lan-
12 guage Institute, the Foreign Service Institute, and
13 the National Security Education Program, as a crit-
14 ical foreign language need.

15 “(3) EARLY CHILDHOOD EDUCATOR.—The
16 term ‘early childhood educator’ means an early
17 childhood educator employed in an eligible preschool
18 program who has completed a baccalaureate or ad-
19 vanced degree in early childhood development, early
20 childhood education, or in a field related to early
21 childhood education.

22 “(4) ELIGIBLE PRESCHOOL PROGRAM.—The
23 term ‘eligible preschool program’ means a program
24 that provides for the care, development, and edu-
25 cation of infants, toddlers, or young children



1 through age 5, meets any applicable State or local
2 government licensing, certification, approval, and
3 registration requirements, and is operated by—

4 “(A) a public or private school that may be
5 supported, sponsored, supervised, or adminis-
6 tered by a local educational agency;

7 “(B) a Head Start agency serving as a
8 grantee designated under the Head Start Act
9 (42 U.S.C. 9831 et seq.);

10 “(C) a nonprofit or community based orga-
11 nization; or

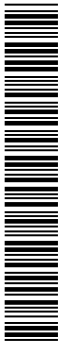
12 “(D) a child care program, including a
13 home.

14 “(5) LOW-INCOME COMMUNITY.—In this sub-
15 section, the term ‘low-income community’ means a
16 community in which 70 percent of households earn
17 less than 85 percent of the State median household
18 income.

19 “(6) NURSE.—The term ‘nurse’ means a nurse
20 who meets all of the following:

21 “(A) The nurse graduated from—

22 “(i) an accredited school of nursing
23 (as those terms are defined in section 801
24 of the Public Health Service Act (42
25 U.S.C. 296));



1 “(ii) a nursing center; or

2 “(iii) an academic health center that
3 provides nurse training.

4 “(B) The nurse holds a valid and unre-
5 stricted license to practice nursing in the State
6 in which the nurse practices in a clinical set-
7 ting.

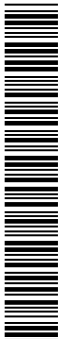
8 “(C) The nurse holds one or more of the
9 following:

10 “(i) A graduate degree in nursing, or
11 an equivalent degree.

12 “(ii) A nursing degree from a colle-
13 giate school of nursing (as defined in sec-
14 tion 801 of the Public Health Service Act
15 (42 U.S.C. 296)).

16 “(iii) A nursing degree from an asso-
17 ciate degree school of nursing (as defined
18 in section 801 of the Public Health Service
19 Act (42 U.S.C. 296)).

20 “(iv) A nursing degree from a diploma
21 school of nursing (as defined in section
22 801 of the Public Health Service Act (42
23 U.S.C. 296)).



1 “(7) SPEECH-LANGUAGE PATHOLOGIST.—The
2 term ‘speech-language pathologist’ means a speech-
3 language pathologist who meets all of the following:

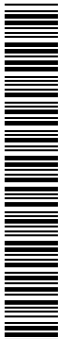
4 “(A) the speech-language pathologist has
5 received, at a minimum, a graduate degree in
6 speech-language pathology or communication
7 sciences and disorders from an institution of
8 higher education accredited by an agency or as-
9 sociation recognized by the Secretary pursuant
10 to section 496(a) of this Act; and

11 “(B) the speech-language pathologist
12 meets or exceeds the qualifications as defined in
13 section 1861(11) of the Social Security Act (42
14 U.S.C. 1395x).

15 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section
17 such sums as may be necessary for fiscal year 2006 and
18 such sums as may be necessary for each of the 5 suc-
19 ceeding fiscal years.”.

20 **SEC. 422. ADDITIONAL ADMINISTRATIVE PROVISIONS.**

21 (a) REPAYMENT PLANS.—Section 428(b)(9)(A) (20
22 U.S.C. 1078(b)(9)(A)) is amended by inserting before the
23 semicolon at the end of clause (ii) the following: “, and
24 the Secretary may not restrict the proportions or ratios



1 by which such payments may be graduated with the in-
2 formed agreement of the borrower”.

3 (b) COUNTING OF CONSOLIDATION LOANS AGAINST
4 LIMITS.—

5 (1) AMENDMENT.—Section 428C(a)(3)(B) (20
6 U.S.C. 1078–3(a)(3)(B)) is amended by adding at
7 the end the following new clause:

8 “(ii) Loans made under this section shall, to
9 the extent used to pay off the outstanding principal
10 balance on loans made under this title, excluding
11 capitalized interest, be counted against the applica-
12 ble limitations on aggregate indebtedness contained
13 in sections 425(a)(2), 428(b)(1)(B), 428H(d), 455,
14 and 464(a)(2)(B).”.

15 (2) EFFECTIVE DATE.—The amendments made
16 by this subsection shall apply with respect to any
17 loan made, insured, or guaranteed under part B or
18 part D of title IV of the Higher Education Act of
19 1965 for which the first disbursement of principal is
20 made on or after July 1, 2007.

21 (c) ADDITIONAL CONSOLIDATION LOAN CHANGES.—

22 (1) ADDITIONAL AMENDMENTS.—Section
23 428C(b)(1) (20 U.S.C. 1078–3(b)(1)) is amended—



1 (A) by striking everything after “under
2 this section” the first place it appears in sub-
3 paragraph (A);

4 (B) by striking “(i) which” and all that
5 follows through “and (ii)” in subparagraph (C);

6 (C) by striking “and” at the end of sub-
7 paragraph (E);

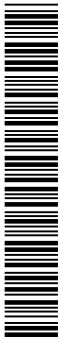
8 (D) by redesignating subparagraph (F) as
9 subparagraph (G); and

10 (E) by inserting after subparagraph (E)
11 the following new subparagraph:

12 “(F) that the lender of the consolidation
13 loan shall, upon application for such loan, pro-
14 vide the borrower with a clear and conspicuous
15 notice of at least the following information:

16 “(i) the effects of consolidation on
17 total interest to be paid, fees to be paid,
18 and length of repayment;

19 “(ii) the effects of consolidation on a
20 borrower’s underlying loan benefits, includ-
21 ing loan forgiveness, cancellation,
22 deferment, and reduced interest rates on
23 those underlying loans;



1 “(iii) the ability of the borrower to
2 prepay the loan, pay on a shorter schedule,
3 and to change repayment plans;

4 “(iv) that borrower benefit programs
5 may vary among different loan holders,
6 and a description of how the borrower ben-
7 efits may vary among different loan hold-
8 ers;

9 “(v) the tax benefits for which bor-
10 rowers may be eligible;

11 “(vi) the consequences of default; and

12 “(vii) that by making the application
13 the applicant is not obligated to agree to
14 take the consolidation loan; and”.

15 (2) EFFECTIVE DATE FOR SINGLE HOLDER
16 AMENDMENT.—The amendment made by paragraph
17 (1)(A) shall apply with respect to any loan made
18 under section 428C of the Higher Education Act of
19 1965 (20 U.S.C. 1078–3) for which the application
20 is received by an eligible lender on or after July 1,
21 2006.

22 (d) VOLUNTARY FLEXIBLE AGREEMENTS.—Section
23 428A(c) (20 U.S.C. 1078–1(c)) is amended by striking
24 paragraph (3) and inserting the following:



1 “(3) NOTICE TO INTERESTED PARTIES.—Once
2 the Secretary reaches a tentative agreement in prin-
3 ciple under this section, the Secretary shall publish
4 in the Federal Register a notice that invites inter-
5 ested parties to comment on the proposed agree-
6 ment. The notice shall state how to obtain a copy of
7 the tentative agreement in principle and shall give
8 interested parties no less than 30 days to provide
9 comments. The Secretary may consider such com-
10 ments prior to providing the notices pursuant to
11 paragraph (2).”.

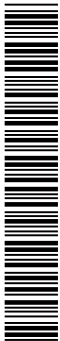
12 (e) FINANCIAL AND ECONOMIC LITERACY.—

13 (1) DEFAULT REDUCTION PROGRAM.—Section
14 428F is amended by adding at the end the following:

15 “(c) FINANCIAL AND ECONOMIC LITERACY.—Where
16 appropriate, each program described under subsection (b)
17 shall include making available financial and economic edu-
18 cation materials for the borrower.”.

19 (2) PROGRAM ASSISTANCE FOR BORROWERS.—

20 Section 432(k)(1) (20 U.S.C. 1082(k)(1)) is amend-
21 ed by striking “and offering” and all that follows
22 through the period and inserting “, offering loan re-
23 payment matching provisions as part of employee
24 benefit packages, and providing employees with fi-
25 nancial and economic education and counseling.”.



1 (f) CREDIT BUREAU ORGANIZATION AGREE-
2 MENTS.—Section 430A(a) (20 U.S.C. 1080a(a)) is
3 amended by striking “agreements with credit bureau orga-
4 nizations” and inserting “an agreement with each national
5 credit bureau organization (as described in section 603(p)
6 of the Fair Credit Reporting Act)”.

7 (g) DEFAULT REDUCTION MANAGEMENT.—Section
8 432 is further amended—

9 (1) by striking subsection (n); and

10 (2) by redesignating subsections (o) and (p) as
11 subsections (n) and (o), respectively.

12 (h) DISABILITY DETERMINATIONS.—Section 437(a)
13 (20 U.S.C. 1087(a)) is amended by adding at the end the
14 following new sentence: “In making such determination of
15 permanent and total disability, the Secretary shall provide
16 that a borrower who has been certified as permanently and
17 totally disabled by the Department of Veterans Affairs or
18 the Social Security Administration shall not be required
19 to present further documentation for purposes of this
20 title.”.

21 (i) TREATMENT OF FALSELY CERTIFIED BOR-
22 ROWERS.—Section 437(c)(1) (20 U.S.C. 1087(c)(1)) is
23 amended by inserting “or parent’s eligibility” after “such
24 student’s eligibility”.

25 (j) ADDITIONAL TECHNICAL AMENDMENTS.—



1 (1) Section 428(a)(2)(A) (20 U.S.C.
2 1078(a)(2)(A)) is amended—

3 (A) by striking “and” at the end of sub-
4 clause (II) of clause (i); and

5 (B) by moving the margin of clause (iii)
6 two ems to the left.

7 (2) Section 428G(e) (20 U.S.C. 1078–7(e)) is
8 amended by striking “, made to a student to cover
9 the cost of attendance at an eligible institution out-
10 side the United States,”.

11 **PART C—FEDERAL WORK-STUDY PROGRAMS**

12 **SEC. 441. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 441(b) (42 U.S.C. 2751(b)) is amended—

14 (1) by striking “1999” and inserting “2006”;
15 and

16 (2) by striking “4 succeeding” and inserting “5
17 succeeding”.

18 **SEC. 442. COMMUNITY SERVICE.**

19 Section 441(c)(1) (42 U.S.C. 2751(c)(1)) is amended
20 by striking “that are open and accessible to the commu-
21 nity”.

22 **SEC. 443. ALLOCATION OF FUNDS.**

23 (a) PHASEOUT OF ALLOCATION BASED ON PREVIOUS
24 ALLOCATIONS.—Subsection (a) of section 442 (42 U.S.C.
25 2752(a)) is amended to read as follows:



1 “(a) ALLOCATION BASED ON PREVIOUS ALLOCA-
2 TION.—

3 “(1) BASE GUARANTEE.—From the amount ap-
4 propriated pursuant to section 441(b) for each fiscal
5 year after fiscal year 2007, the Secretary shall, sub-
6 ject to paragraph (2), first allocate to each eligible
7 institution an amount equal to the following percent-
8 age of the amount such institution received under
9 subsection (a) of this section for fiscal year 2007 (as
10 such subsection was in effect with respect to alloca-
11 tions for such fiscal year):

12 “(A) 80 percent for fiscal years 2008 and
13 2009;

14 “(B) 60 percent for fiscal years 2010 and
15 2011;

16 “(C) 40 percent for fiscal years 2012 and
17 2013;

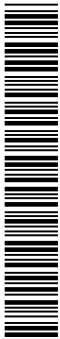
18 “(D) 20 percent for fiscal years 2014 and
19 2015; and

20 “(E) 0 percent for fiscal year 2016 and
21 any succeeding fiscal year.

22 “(2) RATABLE REDUCTIONS FOR INSUFFICIENT
23 APPROPRIATIONS.—

24 “(A) REDUCTION OF BASE GUARANTEE.—

25 If the amount appropriated for any fiscal year



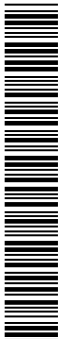
1 is less than the amount required to be allocated
2 to all institutions under this subsection, then
3 the amount of the allocation to each such insti-
4 tution shall be ratably reduced.

5 “(B) ADDITIONAL APPROPRIATIONS ALLO-
6 CATION.—If additional amounts are appro-
7 priated for any such fiscal year, such reduced
8 amounts shall be increased on the same basis as
9 they were reduced (until the amount allocated
10 equals the amount required to be allocated
11 under this subsection).

12 “(3) ADDITIONAL ALLOCATIONS FOR CERTAIN
13 INSTITUTIONS.—

14 “(A) ALLOCATIONS PERMITTED.—Notwith-
15 standing any other provision of this section, the
16 Secretary may allocate an amount equal to not
17 more than 10 percent of the amount by which
18 the amount appropriated in any fiscal year to
19 carry out this part exceeds \$700,000,000
20 among eligible institutions described in sub-
21 paragraph (B).

22 “(B) ELIGIBLE INSTITUTIONS.—An other-
23 wise eligible institution may receive a portion of
24 the allocation described in subparagraph (A)
25 if—



1 “(i) not less than 10 percent of the
2 students attending the institution receive
3 Federal Pell Grants; and

4 “(ii)(I) in the case of an institution
5 that offers programs of at least 4 years in
6 duration, if its graduation rate for Federal
7 Pell Grant recipients attending the institu-
8 tion and graduating within the period of
9 time equal to normal duration of the long-
10 est undergraduate program offered by the
11 institution, as measured from the first day
12 of their enrollment, exceeds the median
13 rate for the class of institution (as defined
14 in section 131(f)(5)(C)); or

15 “(II) in the case of an institution that
16 offers programs of at least 2, but less than
17 4, years in duration, if its rate for Federal
18 Pell Grant recipients attending the institu-
19 tion and graduating or transferring to an
20 institution that offers programs of at least
21 4 years in duration within the period of
22 time equal to the normal duration of the
23 program offered, as measured from the
24 first day of their enrollment, exceeds the



1 median rate for the class of institution (as
2 defined in section 131(f)(5)(C)).”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall apply with respect to any amounts ap-
5 propriated under section 441(b) of the Higher Education
6 Act of 1965 (42 U.S.C. 2751(b)) for fiscal year 2008 or
7 any succeeding fiscal year.

8 **SEC. 444. BOOKS AND SUPPLIES.**

9 Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is
10 amended by striking “\$450” and inserting “\$600”.

11 **SEC. 445. JOB LOCATION AND DEVELOPMENT.**

12 Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is
13 amended—

14 (1) by striking “10 percent or \$50,000” and in-
15 serting “15 percent or \$75,000”; and

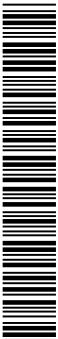
16 (2) by inserting before the period at the end the
17 following: “, except that not less than one-third of
18 such amount shall be specifically allocated to locate
19 and develop community service jobs”.

20 **SEC. 446. WORK COLLEGES.**

21 Section 448 (42 U.S.C. 2756b) is amended—

22 (1) by striking “work-learning” each place it
23 appears and inserting “work-learning-service”;

24 (2) by amending subparagraph (C) of sub-
25 section (e)(1) to read as follows:



1 “(C) requires all resident students, includ-
2 ing at least one-half of all students who are en-
3 rolled on a full-time basis, to participate in a
4 comprehensive work-learning-service program
5 for at least 5 hours each week, or at least 80
6 hours during each period of enrollment, unless
7 the student is engaged in an institutionally or-
8 ganized or approved study abroad or externship
9 program; and”;

10 (3) by amending paragraph (2) of subsection
11 (e) to read as follows:

12 “(2) the term ‘comprehensive student work-
13 learning-service program’—

14 “(A) means a student work-learning-serv-
15 ice program that is an integral and stated part
16 of the institution’s educational philosophy and
17 program;

18 “(B) requires participation of all resident
19 students for enrollment and graduation;

20 “(C) includes learning objectives, evalua-
21 tion, and a record of work performance as part
22 of the student’s college record;

23 “(D) provides programmatic leadership by
24 college personnel at levels comparable to tradi-
25 tional academic programs;



1 “(E) recognizes the educational role of
2 work-learning-service supervisors; and

3 “(F) includes consequences for non-
4 performance or failure in the work-learning-
5 service program similar to the consequences for
6 failure in the regular academic program.”; and

7 (4) in subsection (f), by striking “1999 and
8 such sums as may be necessary for each of the 4
9 succeeding fiscal years” and inserting “2006 and
10 such sums as may be necessary for the 5 succeeding
11 fiscal years”.

12 **PART D—FEDERAL DIRECT LOAN PROGRAM**

13 **SEC. 451. INCOME CONTINGENT REPAYMENT.**

14 Section 455(e)(2) (20 U.S.C. 1087e(e)(2)) is amend-
15 ed by striking “and files a Federal income tax return
16 jointly with the borrower’s spouse”.

17 **PART E—FEDERAL PERKINS LOAN PROGRAM**

18 **SEC. 461. REAUTHORIZATION OF PROGRAM.**

19 (a) PROGRAM AUTHORIZATION.—

20 (1) AUTHORIZATION OF APPROPRIATIONS.—

21 Section 461(b) (20 U.S.C. 1087aa(b)) is amended—

22 (A) in paragraph (1)—

23 (i) by striking “1999” and inserting
24 “2006”; and



1 (ii) by striking “4 succeeding” and in-
2 serting “5 succeeding”; and

3 (B) in paragraph (2), by striking “2003”
4 each place it appears and inserting “2012”.

5 (2) FEDERAL CAPITAL CONTRIBUTION RECOV-
6 ERY.—Section 466 (20 U.S.C. 1087ff) is amended—

7 (A) by striking “2004” each place it ap-
8 pears in subsections (a) and (c) and inserting
9 “2012”; and

10 (B) by striking “2003” each place it ap-
11 pears in subsections (a) and (b),and inserting
12 “2011”.

13 (b) PHASEOUT OF ALLOCATION BASED ON PREVIOUS
14 ALLOCATIONS.—

15 (1) AMENDMENT.—Subsection (a) of section
16 462 (20 U.S.C. 1087bb(a)) is amended to read as
17 follows:

18 “(a) ALLOCATION BASED ON PREVIOUS ALLOCA-
19 TION.—

20 “(1) BASE GUARANTEE.—From the amount ap-
21 propriated pursuant to section 461(b) for each fiscal
22 year after fiscal year 2007, the Secretary shall, sub-
23 ject to paragraphs (2) and (3), first allocate to each
24 eligible institution an amount equal to—



1 “(A) 100 percent of the amount such insti-
2 tution received under subsection (a) of this sec-
3 tion for fiscal year 2007 (as such subsection
4 was in effect with respect to allocations for such
5 fiscal year), multiplied by

6 “(B) the institution’s default penalty, as
7 determined under subsection (e), except that if
8 the institution has a cohort default rate in ex-
9 cess of the applicable maximum cohort default
10 rate under subsection (f), the institution may
11 not receive an allocation under this paragraph.

12 “(2) PHASE OUT.—For each of the fiscal years
13 after fiscal year 2007, paragraph (1) shall be ap-
14 plied by substituting for ‘100 percent’:

15 “(A) ‘80 percent’ for fiscal years 2008 and
16 2009;

17 “(B) ‘60 percent’ for fiscal years 2010 and
18 2011;

19 “(C) ‘40 percent’ for fiscal years 2012 and
20 2013;

21 “(D) ‘20 percent’ for fiscal years 2014 and
22 2015; and

23 “(E) ‘0 percent’ for fiscal year 2016 and
24 any succeeding fiscal year.



1 “(3) RATABLE REDUCTIONS FOR INSUFFICIENT
2 APPROPRIATIONS.—

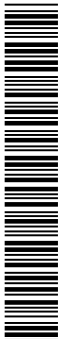
3 “(A) REDUCTION OF BASE GUARANTEE.—

4 If the amount appropriated for any fiscal year
5 is less than the amount required to be allocated
6 to all institutions under this subsection, then
7 the amount of the allocation to each such insti-
8 tution shall be ratably reduced.

9 “(B) ADDITIONAL APPROPRIATIONS ALLO-
10 CATION.—If additional amounts are appro-
11 priated for any such fiscal year, such reduced
12 amounts shall be increased on the same basis as
13 they were reduced (until the amount allocated
14 equals the amount required to be allocated
15 under this subsection).”.

16 (2) EFFECTIVE DATE.—The amendment made
17 by paragraph (1) shall apply with respect to any
18 amounts appropriated under section 461(b) of the
19 Higher Education Act of 1965 (20 U.S.C.
20 1087bb(b)) for fiscal year 2008 or any succeeding
21 fiscal year.

22 (c) BOOKS AND SUPPLIES.—Section 462(c)(4)(D)
23 (20 U.S.C. 1087bb(c)(4)(D)) is amended by striking
24 “\$450” and inserting “\$600”.



1 **SEC. 462. LOAN TERMS AND CONDITIONS.**

2 (a) LOAN LIMITS.—Section 464(a) (20 U.S.C.
3 1087dd(a)) is amended—

4 (1) in paragraph (2)(A)—

5 (A) by striking “\$4,000” in clause (i) and
6 inserting “\$5,500”; and

7 (B) by striking “\$6,000” in clause (ii) and
8 inserting “\$8,000”; and

9 (2) in paragraph (2)(B)—

10 (A) by striking “\$40,000” in clause (i) and
11 inserting “\$60,000”;

12 (B) by striking “\$20,000” in clause (ii)
13 and inserting “\$27,500”; and

14 (C) by striking “\$8,000” in clause (iii) and
15 inserting “\$11,000”.

16 (b) FORBEARANCE.—Section 464(e) (20 U.S.C.
17 1087dd(e)) is amended by striking “, upon written re-
18 quest,”.

19 (c) SPECIAL REPAYMENT RULE.—Paragraph (2) of
20 section 464(f) is amended to read as follows:

21 “(2) No compromise repayment of a defaulted loan
22 as authorized by paragraph (1) may be made unless
23 agreed to by the Secretary.”.

24 (d) REHABILITATION.—Section 464(h)(1)(A) (20
25 U.S.C. 1087dd(h)(1)(A)) is amended by striking “12
26 ontime” and inserting “9 on-time”.



1 **SEC. 463. LOAN CANCELLATION.**

2 Section 465(a)(3)(A) (20 U.S.C. 1087ee(a)(3)(A)) is
3 amended—

4 (1) by inserting “(D),” after “subparagraph
5 (A), (C),” in clause (i);

6 (2) by inserting “or” after the semicolon at the
7 end of clause (ii);

8 (3) by striking clause (iii); and

9 (4) by redesignating clause (iv) as clause (iii).

10 **SEC. 464. TECHNICAL AMENDMENTS.**

11 Part E is further amended as follows:

12 (1) Section 462(g)(1)(E)(i)(I) (20 U.S.C.
13 1087bb(g)(1)(E)(i)(I)) is amended by inserting
14 “monthly” after “consecutive”.

15 (2) Section 463(a)(4)(A) (20 U.S.C.
16 1087cc(a)(4)(A)) is amended by striking “the Sec-
17 retary may” and inserting “the Secretary shall”.

18 (3) Section 464(c)(1)(D) (20 U.S.C.
19 1087dd(c)(1)(D)) is amended by redesignating sub-
20 clauses (I) and (II) as clauses (i) and (ii), respec-
21 tively.

22 (4) Section 465(a)(2) (20 U.S.C. 1087ee(a)(2))
23 is amended in subparagraph (A), by striking “sec-
24 tion 111(c)” and inserting “section 1113(a)(5)”.



1 (5) Section 467(b) (20 U.S.C. 1087gg(b)) is
2 amended by striking “(5)(A), (5)(B)(i), or (6)” and
3 inserting “(4)(A), (4)(B), or (5)”.

4 (6) Section 469(c) (20 U.S.C. 1087ii(c)) is
5 amended—

6 (A) by striking “sections 602 and 632”
7 and inserting “sections 602(3) and 632(5)”;

8 (B) by striking “qualified professional pro-
9 vider of early intervention services” and insert-
10 ing “early intervention services”; and

11 (C) by striking “section 672(2)” and in-
12 serting “section 632(4)”.

13 **PART F—NEED ANALYSIS**

14 **SEC. 471. SIGNIFICANTLY SIMPLIFYING THE STUDENT AID**
15 **APPLICATION PROCESS.**

16 (a) IMPROVEMENTS TO PAPER AND ELECTRONIC
17 FORMS.—

18 (1) COMMON FINANCIAL AID FORM DEVELOP-
19 MENT AND PROCESSING.—Section 483(a) (20 U.S.C.
20 1090(a)) is amended—

21 (A) by striking paragraphs (1), (2), and
22 (5);

23 (B) by redesignating paragraphs (3), (4),
24 (6), and (7), as paragraphs (9), (10), (11), and
25 (12), respectively;

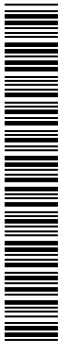


1 (C) by inserting before paragraph (9), as
2 redesignated by subparagraph (B), the fol-
3 lowing:

4 “(1) IN GENERAL.—The Secretary, in coopera-
5 tion with representatives of agencies and organiza-
6 tions involved in student financial assistance, shall
7 produce, distribute, and process free of charge com-
8 mon financial reporting forms as described in this
9 subsection to be used for application and reapplica-
10 tion to determine the need and eligibility of a stu-
11 dent for financial assistance under parts A through
12 E (other than subpart 4 of part A). These forms
13 shall be made available to applicants in both paper
14 and electronic formats and shall be referred to as
15 the ‘Free Application for Federal Student Aid’ or
16 the ‘FAFSA’.

17 “(2) EARLY ESTIMATES.—

18 “(A) IN GENERAL.—The Secretary shall
19 permit applicants to complete such forms as de-
20 scribed in this subsection in the 4 years prior
21 to enrollment in order to obtain a non-binding
22 estimate of the family contribution, as defined
23 in section 473. The estimate shall clearly and
24 conspicuously indicate that it is only an esti-
25 mate of family contribution, and may not re-



1 flect the actual family contribution of the appli-
2 cant that shall be used to determine the grant,
3 loan, or work assistance that the applicant may
4 receive under this title when enrolled in a pro-
5 gram of postsecondary education. Such appli-
6 cants shall be permitted to update information
7 submitted on forms described in this subsection
8 using the process required under paragraph
9 (5)(A).

10 “(B) EVALUATION.—Two years after the
11 early estimates are implemented under this
12 paragraph and from data gathered from the
13 early estimates, the Secretary shall evaluate the
14 differences between initial, non-binding early es-
15 timates and the final financial aid award made
16 available under this title.

17 “(C) REPORT.—The Secretary shall pro-
18 vide a report to the authorizing committees on
19 the results of the evaluation.

20 “(3) PAPER FORMAT.—

21 “(A) IN GENERAL.—The Secretary shall
22 produce, distribute, and process common forms
23 in paper format to meet the requirements of
24 paragraph (1). The Secretary shall develop a



1 common paper form for applicants who do not
2 meet the requirements of subparagraph (B).

3 “(B) EZ FAFSA.—

4 “(i) IN GENERAL.—The Secretary
5 shall develop and use a simplified paper
6 application form, to be known as the ‘EZ
7 FAFSA’, to be used for applicants meeting
8 the requirements of section 479(c).

9 “(ii) REDUCED DATA REQUIRE-
10 MENTS.—The form under this subpara-
11 graph shall permit an applicant to submit,
12 for financial assistance purposes, only the
13 data elements required to make a deter-
14 mination of whether the applicant meets
15 the requirements under section 479(c).

16 “(iii) STATE DATA.—The Secretary
17 shall include on the form under this sub-
18 paragraph such data items as may be nec-
19 essary to award State financial assistance,
20 as provided under paragraph (6), except
21 that the Secretary shall not include a
22 State’s data if that State does not permit
23 its applicants for State assistance to use
24 the form under this subparagraph.



1 “(iv) FREE AVAILABILITY AND PROC-
2 ESSING.—The provisions of paragraph (7)
3 shall apply to the form under this subpara-
4 graph, and the data collected by means of
5 the form under this subparagraph shall be
6 available to institutions of higher edu-
7 cation, guaranty agencies, and States in
8 accordance with paragraph (9).

9 “(v) TESTING.—The Secretary shall
10 conduct appropriate field testing on the
11 form under this subparagraph.

12 “(C) PROMOTING THE USE OF ELEC-
13 TRONIC FAFSA.—

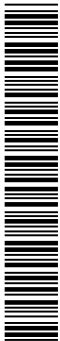
14 “(i) IN GENERAL.—The Secretary
15 shall make an effort to encourage appli-
16 cants to utilize the electronic forms de-
17 scribed in paragraph (4).

18 “(ii) MAINTENANCE OF THE FAFSA IN
19 A PRINTABLE ELECTRONIC FILE.—The
20 Secretary shall maintain a version of the
21 paper forms described in subparagraphs
22 (A) and (B) in a printable electronic file
23 that is easily portable. The printable elec-
24 tronic file will be made easily accessible
25 and downloadable to students on the same



1 website used to provide students with the
2 electronic application forms described in
3 paragraph (4) of this subsection. The Sec-
4 retary shall enable students to submit a
5 form created under this subparagraph that
6 is downloaded and printed from an elec-
7 tronic file format in order to meet the fil-
8 ing requirements of this section and in
9 order to receive aid from programs under
10 this title.

11 “(iii) REPORTING REQUIREMENT.—
12 The Secretary shall report annually to
13 Congress on the impact of the digital di-
14 vide on students completing applications
15 for title IV aid described under this para-
16 graph and paragraph (4). The Secretary
17 will also report on the steps taken to elimi-
18 nate the digital divide and phase out the
19 paper form described in subparagraph (A)
20 of this paragraph. The Secretary’s report
21 will specifically address the impact of the
22 digital divide on the following student pop-
23 ulations: dependent students, independent
24 students without dependents, and inde-



1 pendent students with dependents other
2 than a spouse.

3 “(4) ELECTRONIC FORMAT.—

4 “(A) IN GENERAL.—The Secretary shall
5 produce, distribute, and process common forms
6 in electronic format to meet the requirements of
7 paragraph (1). The Secretary shall develop
8 common electronic forms for applicants who do
9 not meet the requirements of subparagraph (C)
10 of this paragraph.

11 “(B) STATE DATA.—The Secretary shall
12 include on the common electronic forms space
13 for information that needs to be submitted from
14 the applicant to be eligible for State financial
15 assistance, as provided under paragraph (6), ex-
16 cept the Secretary shall not require applicants
17 to complete data required by any State other
18 than the applicant’s State of residence.

19 “(C) SIMPLIFIED APPLICATIONS: FAFSA ON
20 THE WEB.—

21 “(i) IN GENERAL.—The Secretary
22 shall develop and use a simplified elec-
23 tronic application form to be used by appli-
24 cants meeting the requirements under sub-
25 section (c) of section 479 and an addi-



1 tional, separate simplified electronic appli-
2 cation form to be used by applicants meet-
3 ing the requirements under subsection (b)
4 of section 479.

5 “(ii) REDUCED DATA REQUIRE-
6 MENTS.—The simplified electronic applica-
7 tion forms shall permit an applicant to
8 submit for financial assistance purposes,
9 only the data elements required to make a
10 determination of whether the applicant
11 meets the requirements under subsection
12 (b) or (c) of section 479.

13 “(iii) STATE DATA.—The Secretary
14 shall include on the simplified electronic
15 application forms such data items as may
16 be necessary to award state financial as-
17 sistance, as provided under paragraph (6),
18 except that the Secretary shall not require
19 applicants to complete data required by
20 any State other than the applicant’s State
21 of residence.

22 “(iv) AVAILABILITY AND PROC-
23 ESSING.—The data collected by means of
24 the simplified electronic application forms
25 shall be available to institutions of higher

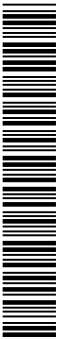


1 education, guaranty agencies, and States
2 in accordance with paragraph (9).

3 “(v) TESTING.—The Secretary shall
4 conduct appropriate field testing on the
5 forms developed under this subparagraph.

6 “(D) USE OF FORMS.—Nothing in this
7 subsection shall be construed to prohibit the use
8 of the forms developed by the Secretary pursu-
9 ant to this paragraph by an eligible institution,
10 eligible lender, guaranty agency, State grant
11 agency, private computer software provider, a
12 consortium thereof, or such other entities as the
13 Secretary may designate.

14 “(E) PRIVACY.—The Secretary shall en-
15 sure that data collection under this paragraph
16 complies with section 552a of title 5, United
17 States Code, and that any entity using the elec-
18 tronic version of the forms developed by the
19 Secretary pursuant to this paragraph shall
20 maintain reasonable and appropriate adminis-
21 trative, technical, and physical safeguards to
22 ensure the integrity and confidentiality of the
23 information, and to protect against security
24 threats, or unauthorized uses or disclosures of
25 the information provided on the electronic ver-



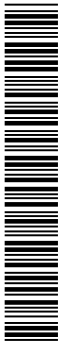
1 sion of the forms. Data collected by such elec-
2 tronic version of the forms shall be used only
3 for the application, award, and administration
4 of aid awarded under this title, State aid, or aid
5 awarded by eligible institutions or such entities
6 as the Secretary may designate. No data col-
7 lected by such electronic version of the forms
8 shall be used for making final aid awards under
9 this title until such data have been processed by
10 the Secretary or a contractor or designee of the
11 Secretary, except as may be permitted under
12 this title.

13 “(F) SIGNATURE.—Notwithstanding any
14 other provision of this Act, the Secretary may
15 permit an electronic form under this paragraph
16 to be submitted without a signature, if a signa-
17 ture is subsequently submitted by the applicant.

18 “(5) STREAMLINING.—

19 “(A) STREAMLINED REAPPLICATION PROC-
20 ESS.—

21 “(i) IN GENERAL.—The Secretary
22 shall develop streamlined reapplication
23 forms and processes, including both paper
24 and electronic reapplication processes, con-
25 sistent with the requirements of this sub-



1 section, for an applicant who applies for fi-
2 nancial assistance under this title—

3 “(I) in the academic year suc-
4 ceeding the year in which such appli-
5 cant first applied for financial assist-
6 ance under this title; or

7 “(II) in any succeeding academic
8 years.

9 “(ii) MECHANISMS FOR REAPPLICA-
10 TION.—The Secretary shall develop appro-
11 priate mechanisms to support reapplica-
12 tion.

13 “(iii) IDENTIFICATION OF UPDATED
14 DATA.—The Secretary shall determine, in
15 cooperation with States, institutions of
16 higher education, agencies, and organiza-
17 tions involved in student financial assist-
18 ance, the data elements that can be up-
19 dated from the previous academic year’s
20 application.

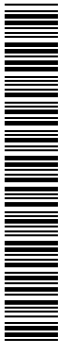
21 “(iv) REDUCED DATA AUTHORIZED.—
22 Nothing in this title shall be construed as
23 limiting the authority of the Secretary to
24 reduce the number of data elements re-
25 quired of reapplicants.



1 “(v) ZERO FAMILY CONTRIBUTION.—
2 Applicants determined to have a zero fam-
3 ily contribution pursuant to section 479(c)
4 shall not be required to provide any finan-
5 cial data in a reapplication form, except
6 that which is necessary to determine eligi-
7 bility under such section.

8 “(B) REDUCTION OF DATA ELEMENTS.—

9 “(i) REDUCTION ENCOURAGED.—Of
10 the number of data elements on the
11 FAFSA on the date of enactment of the
12 College Access and Opportunity Act of
13 2006 (including questions on the FAFSA
14 for the purposes described in paragraph
15 (6)), the Secretary, in cooperation with
16 representatives of agencies and organiza-
17 tions involved in student financial assist-
18 ance, shall continue to reduce the number
19 of such data elements following the date of
20 enactment. Reductions of data elements
21 under paragraph (3)(B), (4)(C), or
22 (5)(A)(iv) shall not be counted towards the
23 reduction referred to in this paragraph un-
24 less those data elements are reduced for all
25 applicants.



1 “(ii) REPORT.—The Secretary shall
2 annually report to the House of Represent-
3 atives and the Senate on the progress
4 made of reducing data elements.

5 “(6) STATE REQUIREMENTS.—

6 “(A) IN GENERAL.—The Secretary shall
7 include on the forms developed under this sub-
8 section, such State-specific data items as the
9 Secretary determines are necessary to meet
10 State requirements for State need-based finan-
11 cial aid under section 415C, except as provided
12 in paragraphs (3)(B)(iii) and (4)(C)(iii) of this
13 subsection. Such items shall be selected in con-
14 sultation with State agencies in order to assist
15 in the awarding of State financial assistance in
16 accordance with the terms of this subsection,
17 except as provided in paragraphs (3)(B)(iii) and
18 (4)(C)(iii) of this subsection. The number of
19 such data items shall not be less than the num-
20 ber included on the form on October 7, 1998,
21 unless a State notifies the Secretary that the
22 State no longer requires those data items for
23 the distribution of State need-based financial
24 aid.



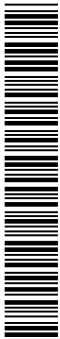
1 “(B) ANNUAL REVIEW.—The Secretary
2 shall conduct an annual review process to deter-
3 mine which forms and data items the States re-
4 quire to award State need-based financial aid
5 and other application requirements that the
6 States may impose.

7 “(C) STATE USE OF SIMPLIFIED FORMS.—
8 The Secretary shall encourage States to take
9 such steps as necessary to encourage the use of
10 simplified application forms, including those de-
11 scribed in paragraphs (3)(B) and (4)(C), to
12 meet the requirements under subsection (b) or
13 (c) of section 479.

14 “(D) FEDERAL REGISTER NOTICE.—The
15 Secretary shall publish on an annual basis a no-
16 tice in the Federal Register requiring State
17 agencies to inform the Secretary—

18 “(i) if the State agency is unable to
19 permit applicants to utilize the simplified
20 application forms described in paragraphs
21 (3)(B) and (4)(C); and

22 “(ii) of the State-specific data that
23 the State agency requires for delivery of
24 State need-based financial aid.



1 “(E) STATE NOTIFICATION TO THE SEC-
2 RETARY.—

3 “(i) IN GENERAL.—Each State agency
4 shall notify the Secretary—

5 “(I) whether the State permits
6 an applicant to file a form described
7 in paragraph (3)(B) or paragraph
8 (4)(C) of this subsection for purposes
9 of determining eligibility for State
10 need-based financial aid; and

11 “(II) the State-specific data that
12 the State agency requires for delivery
13 of State need-based financial aid.

14 “(ii) ACCEPTANCE OF FORMS.—In the
15 event that a State does not permit an ap-
16 plicant to file a form described in para-
17 graph (3)(B) or paragraph (4)(C) of this
18 subsection for purposes of determining eli-
19 gibility for State need-based financial
20 aid—

21 “(I) the State shall notify the
22 Secretary if the State is not permitted
23 to do so because of either State law or
24 because of agency policy; and



1 “(II) the notification under sub-
2 clause (I) shall include an estimate of
3 the program cost to permit applicants
4 to complete simplified application
5 forms under paragraphs (3)(B) and
6 paragraph (4)(C) of this subsection.

7 “(iii) LACK OF NOTIFICATION BY THE
8 STATE.—If a State does not notify the
9 Secretary pursuant to clause (i), the Sec-
10 retary shall—

11 “(I) permit residents of that
12 State to complete simplified applica-
13 tion forms under paragraphs (3)(B)
14 and paragraph (4)(C) of this sub-
15 section; and

16 “(II) not require any resident of
17 that State to complete any data pre-
18 viously required by that State under
19 this section.

20 “(7) CHARGES TO STUDENTS AND PARENTS
21 FOR USE OF FORMS PROHIBITED.—

22 “(A) FEES PROHIBITED.—The FAFSA, in
23 whatever form (including the EZ-FAFSA,
24 paper, electronic, simplified, or reapplication),
25 shall be produced, distributed, and processed by



1 the Secretary and no parent or student shall be
2 charged a fee for the collection, processing, or
3 delivery of financial aid through the use of the
4 FAFSA. The need and eligibility of a student
5 for financial assistance under parts A through
6 E of this title (other than under subpart 4 of
7 part A) may only be determined by using the
8 FAFSA developed by the Secretary pursuant to
9 this subsection. No student may receive assist-
10 ance under parts A through E of this title
11 (other than under subpart 4 of part A), except
12 by use of the FAFSA developed by the Sec-
13 retary pursuant to this subsection. No data col-
14 lected on a form for which a fee is charged shall
15 be used to complete the FAFSA.

16 “(B) NOTICE.—Any entity that provides to
17 students or parents, or charges students or par-
18 ents for, any value-added services with respect
19 to or in connection with the FAFSA, such as
20 completion of the FAFSA, submission of the
21 FAFSA, or tracking of the FAFSA for a stu-
22 dent, shall provide to students and parents
23 clear and conspicuous notice that—

24 “(i) the FAFSA is a free Federal stu-
25 dent aid application;



1 “(ii) the FAFSA can be completed
2 without professional assistance; and

3 “(iii) includes the current Internet ad-
4 dress for the FAFSA on the Department’s
5 web site.

6 “(8) APPLICATION PROCESSING CYCLE.—The
7 Secretary shall enable students to submit a form
8 created under this subsection in order to meet the
9 filing requirements of this section and in order to re-
10 ceive aid from programs under this title and shall
11 initiate the processing of applications under this
12 subsection as early as practicable prior to January
13 1 of the student’s planned year of enrollment.”.

14 (2) MASTER CALENDAR.—Section 482(a)(1)(B)
15 (20 U.S.C. 1089) is amended to read as follows:

16 “(B) by March 1: proposed modifications,
17 updates, and notices pursuant to sections 478,
18 479(c)(2)(C), and 483(a)(6) published in the
19 Federal Register;”.

20 (b) INCREASING ACCESS TO TECHNOLOGY.—Section
21 483 (20 U.S.C. 1090) is further amended by adding at
22 the end the following:

23 “(f) ADDRESSING THE DIGITAL DIVIDE.—The Sec-
24 retary shall utilize savings accrued by moving more appli-
25 cants to the electronic forms described in subsection (a)(4)



1 to improve access to the electronic forms described in sub-
2 section (a)(4) for applicants meeting the requirements of
3 section 479(c).”.

4 (c) EXPANDING THE DEFINITION OF AN INDE-
5 PENDENT STUDENT.—Section 480(d) (20
6 U.S.C.1087vv(d)) is amended by striking paragraph (2)
7 and inserting the following:

8 “(2) is an orphan, in foster care, or a ward of
9 the court, or was in foster care or a ward of the
10 court until the individual reached the age of 18;”.

11 **SEC. 472. DISCRETION OF STUDENT FINANCIAL AID ADMIN-**
12 **ISTRATORS.**

13 Section 479A(a) (20 U.S.C. 1087tt(a)) is amended—

14 (1) by striking “(a) IN GENERAL.—” and in-
15 serting the following:

16 “(a) AUTHORITY TO MAKE ADJUSTMENTS.—

17 “(1) ADJUSTMENTS FOR SPECIAL CIR-
18 CUMSTANCES.—”;

19 (2) by inserting before “Special circumstances
20 may” the following:

21 “(2) SPECIAL CIRCUMSTANCES DEFINED.—”;

22 (3) by inserting “a student’s status as a ward
23 of the court at any time prior to attaining 18 years
24 of age, a student’s status as an individual who was
25 adopted at or after age 13, a student’s status as a



1 homeless or unaccompanied youth (as defined in sec-
2 tion 725 of the McKinney-Vento Homeless Assist-
3 ance Act),” after “487,”;

4 (4) by inserting before “Adequate documenta-
5 tion” the following:

6 “(3) DOCUMENTATION AND USE OF SUPPLE-
7 MENTARY INFORMATION.—”; and

8 (5) by inserting before “No student” the fol-
9 lowing:

10 “(4) FEES FOR SUPPLEMENTARY INFORMATION
11 PROHIBITED.—”.

12 **PART G—GENERAL PROVISIONS RELATING TO**
13 **STUDENT FINANCIAL ASSISTANCE**

14 **SEC. 481. EXPANDING INFORMATION DISSEMINATION RE-**
15 **GARDING ELIGIBILITY FOR PELL GRANTS.**

16 Section 483(a) (20 U.S.C. 1090(a)) (as amended by
17 section 471(a)) is further amended by adding at the end
18 the following new paragraph:

19 “(13) EXPANDING INFORMATION DISSEMINA-
20 TION REGARDING ELIGIBILITY FOR PELL GRANTS.—

21 The Secretary shall make special efforts, in conjunc-
22 tion with State efforts, to notify students and their
23 parents who qualify for a free lunch under the Rich-
24 ard B. Russell National School Lunch Act (42
25 U.S.C. 1751 et seq.), the Food Stamps program, or



1 such other programs as the Secretary shall deter-
2 mine, of their potential eligibility for a maximum
3 Pell Grant, and shall disseminate such informational
4 materials as the Secretary deems appropriate.”.

5 **SEC. 482. STUDENT ELIGIBILITY.**

6 (a) TECHNICAL AMENDMENT.—Section 484(b)(5)
7 (20 U.S.C. 1091(b)(5)) is amended by inserting “or par-
8 ent (on behalf of a student)” after “student”.

9 (b) FREELY ASSOCIATED STATES.—Section 484(j)
10 (20 U.S.C. 1091(j)) is amended by inserting “and shall
11 be eligible only for assistance under subpart 1 of part A
12 thereafter,” after “part C,”.

13 **SEC. 483. INSTITUTIONAL REFUNDS.**

14 Section 484B (20 U.S.C. 1091b) is amended—

15 (1) in subsection (a)(1), by inserting “subpart
16 4 of part A or” after “received under”;

17 (2) in subsection (b)(2), by adding at the end
18 the following new subparagraph:

19 “(D) WAIVERS OF PELL GRANT REPAY-
20 MENT BY STUDENTS AFFECTED BY DISAS-
21 TERS.—The Secretary may waive the amounts
22 that students are required to return under this
23 section with respect to Pell grants if the with-
24 drawals on which the returns are based are
25 withdrawals by students—



1 “(i) who were residing in, employed
2 in, or attending an institution of higher
3 education that is located in an area in
4 which the President has declared that a
5 major disaster exists, in accordance with
6 section 401 of the Robert T. Stafford Dis-
7 aster Relief and Emergency Assistance Act
8 (42 U.S.C. 5170);

9 “(ii) whose attendance was inter-
10 rupted because of the impact of the dis-
11 aster on the student or the institution; and

12 “(iii) whose withdrawal ended within
13 the academic year during which the des-
14 ignation occurred or during the next suc-
15 ceeding academic year.”; and

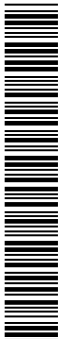
16 (3) in subsection (d), by striking “(a)(3)(B)(i)”
17 and inserting “(a)(3)(B)”.

18 **SEC. 484. INSTITUTIONAL AND FINANCIAL ASSISTANCE IN-**
19 **FORMATION FOR STUDENTS.**

20 (a) INFORMATION DISSEMINATION ACTIVITIES.—

21 Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is amended—

22 (1) by amending the second sentence to read as
23 follows: “The information required by this section
24 shall be produced and be made publicly available to
25 an enrolled student and to any prospective student,



1 through appropriate publications, mailings, elec-
2 tronic media, and the reports required by the insti-
3 tution's accrediting agency under section
4 496(c)(9).”;

5 (2) by amending subparagraph (G) to read as
6 follows:

7 “(G) the academic programs of the institution,
8 including—

9 “(i) the current degree programs and other
10 educational and training programs;

11 “(ii) the institution's educational mission
12 and goals;

13 “(iii) the instructional, laboratory, and
14 other physical plant facilities which relate to the
15 academic programs; and

16 “(iv) the faculty and other instructional
17 personnel;”;

18 (3) by striking subparagraph (L) and inserting
19 the following:

20 “(L) a summary of student outcomes for full-
21 time undergraduate students, including—

22 “(i) the completion or graduation rates of
23 certificate- or degree-seeking undergraduate
24 students entering such institutions; and



1 “(ii) any other student outcome data, qual-
2 itative or quantitative, including data regarding
3 distance education, deemed by the institution to
4 be appropriate to its stated educational mission
5 and goals, and, when applicable, licensing and
6 placement rates for professional and vocational
7 programs;”;

8 (4) by inserting before the semicolon at the end
9 of subparagraph (J) the following: “, and the proc-
10 ess for students to register complaints with the ac-
11 crediting agencies or associations”;

12 (5) in subparagraph (M), by striking “guaran-
13 teed student loans under part B of this title or di-
14 rect student loans under part E of this title, or
15 both,” and inserting “student loans under part B,
16 D, or E of this title”;

17 (6) by striking “and” at the end of subpara-
18 graph (N);

19 (7) by striking the period at the end of sub-
20 paragraph (O) and inserting a semicolon; and

21 (8) by adding at the end the following new sub-
22 paragraphs:

23 “(P) the penalties contained in subsection
24 484(r) regarding suspension of eligibility for drug
25 related offenses;



1 “(Q) the policies of the institution regarding
2 the acceptance or denial of academic credit earned
3 at another institution of higher education, which
4 shall include a statement that such decisions will not
5 be based solely on the source of accreditation of a
6 sending institution, provided that the sending insti-
7 tution is accredited by an agency or association that
8 is recognized by the Secretary pursuant to section
9 496 to be a reliable authority as to the quality of the
10 education or training offered, and except that noth-
11 ing in this subparagraph shall be construed to—

12 “(i) authorize an officer or employee of the
13 Department to exercise any direction, super-
14 vision, or control over the curriculum, program
15 of instruction, administration, or personnel of
16 any institution of higher education, or over any
17 accrediting agency or association;

18 “(ii) limit the application of the General
19 Education Provisions Act; or

20 “(iii) create any legally enforceable right;
21 and”.

22 (b) ADDITIONAL AMENDMENTS.—Section 485(a) is
23 further amended by striking paragraph (6) and inserting
24 the following:



1 “(6) Each institution may provide supplemental in-
2 formation to enrolled and prospective students showing
3 the completion or graduation rate for students described
4 in paragraph (4). For the purpose of this paragraph, the
5 definitions provided in the Integrated Postsecondary Edu-
6 cation Data System shall apply.

7 “(7) Each eligible institution participating in any
8 program under this title may publicly report to currently
9 enrolled and prospective students the voluntary informa-
10 tion collected by the National Survey of Student Engage-
11 ment (NSSE), the Community College Survey of Student
12 Engagement (CCSSE), or other instruments that provide
13 evidence of student participation in educationally purpose-
14 ful activities. The information shall be produced and made
15 available in a uniform and comprehensible manner,
16 through appropriate publications, mailings, and electronic
17 media, and may be included in reports required by the
18 institution’s accrediting agency.”.

19 (c) EXIT COUNSELING.—Section 485(b) (20 U.S.C.
20 1092(b)) is amended by adding at the end the following
21 new paragraph:

22 “(3) Each eligible institution shall, during the exit
23 interview required by this subsection, provide to a bor-
24 rower of a loan made under part B, D, or E a clear and
25 conspicuous notice describing the effect of using a consoli-



1 dation loan to discharge the borrower's student loans,
2 including—

3 “(A) the effects of consolidation on total inter-
4 est to be paid, fees to be paid, and length of repay-
5 ment;

6 “(B) the effects of consolidation on a bor-
7 rower's underlying loan benefits, including loan for-
8 giveness, cancellation, and deferment;

9 “(C) the ability for the borrower to prepay the
10 loan, pay on a shorter schedule, and to change re-
11 payment plans, and that borrower benefit programs
12 may vary among different loan holders;

13 “(D) the tax benefits for which the borrower
14 may be eligible; and

15 “(E) the consequences of default.”.

16 (d) CAMPUS CRIME INFORMATION.—Section
17 485(f)(1) (20 U.S.C. 1092(f)(1)) is amended by inserting
18 “, other than a foreign institution of higher education,”
19 after “under this title”.

20 (e) DISCLOSURE OF FIRE SAFETY OF CAMPUS
21 BUILDINGS.—Section 485 of the Higher Education Act of
22 1965 (20 U.S.C. 1092) is further amended—

23 (1) in subsection (a)(1), by adding after sub-
24 paragraph (Q) (as added by subsection (a)(8) of this
25 section) the following new subparagraph:



1 “(R) the fire safety report prepared by the in-
2 stitution pursuant to subsection (h).”; and

3 (2) by adding at the end the following new sub-
4 section:

5 “(h) DISCLOSURE OF FIRE SAFETY STANDARDS AND
6 MEASURES.—

7 “(1) ANNUAL FIRE SAFETY REPORTS RE-
8 QUIRED.—Each institution participating in any pro-
9 gram under this title shall, beginning in the first
10 academic year that begins after the date of enact-
11 ment of the College Access and Opportunity Act of
12 2006, and each year thereafter, prepare, publish,
13 and distribute, through appropriate publications (in-
14 cluding the Internet) or mailings, to all current stu-
15 dents and employees, and to any applicant for en-
16 rollment or employment upon request, an annual fire
17 safety report. Such reports shall contain at least the
18 following information with respect to the campus fire
19 safety practices and standards of that institution:

20 “(A) A statement that identifies each insti-
21 tution-owned or controlled student housing fa-
22 cility, and whether or not such facility is
23 equipped with a fire sprinkler system or other
24 fire safety system, or has fire escape planning
25 or protocols.



1 “(B) Statistics for each such facility con-
2 cerning the occurrence of fires and false alarms
3 in such facility during the 2 preceding calendar
4 years for which data are available.

5 “(C) For each such occurrence in each
6 such facility, a summary of the human injuries
7 or deaths, structural or property damage, or
8 combination thereof.

9 “(D) Information regarding rules on port-
10 able electrical appliances, smoking and open
11 flames (such as candles), regular mandatory su-
12 pervised fire drills, and planned and future im-
13 provements in fire safety.

14 “(E) Information about fire safety edu-
15 cation and training provided to students, fac-
16 ulty, and staff.

17 “(F) Information concerning fire safety at
18 any housing facility owned or controlled by a
19 fraternity, sorority, or student group that is
20 recognized by the institution, including—

21 “(i) information reported to the insti-
22 tution under paragraph (4); and

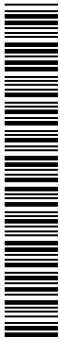
23 “(ii) a statement concerning whether
24 and how the institution works with recog-
25 nized student fraternities and sororities,



1 and other recognized student groups own-
2 ing or controlling housing facilities, to
3 make each building and property owned or
4 controlled by such fraternities, sororities,
5 and groups more fire safe.

6 “(2) FRATERNITIES, SORORITIES, AND OTHER
7 GROUPS.—Each institution participating in a pro-
8 gram under this title shall request each fraternity
9 and sorority that is recognized by the institution,
10 and any other student group that is recognized by
11 the institution and that owns or controls housing fa-
12 cilities, to collect and report to the institution the in-
13 formation described in subparagraphs (A) through
14 (E) of paragraph (1), as applied to the fraternity,
15 sorority, or recognized student group, respectively,
16 for each building and property owned or controlled
17 by the fraternity, sorority, or group, respectively.

18 “(3) CURRENT INFORMATION TO CAMPUS COM-
19 MUNITY.—Each institution participating in any pro-
20 gram under this title shall make, keep, and maintain
21 a log, written in a form that can be easily under-
22 stood, recording all on-campus fires, including the
23 nature, date, time, and general location of each fire
24 and all false fire alarms. All entries that are re-
25 quired pursuant to this paragraph shall, except



1 where disclosure of such information is prohibited by
2 law, be open to public inspection, and each such in-
3 stitution shall make annual reports to the campus
4 community on such fires and false fire alarms in a
5 manner that will aid the prevention of similar occur-
6 rences.

7 “(4) REPORTS TO THE SECRETARY.—On an an-
8 nual basis, each institution participating in any pro-
9 gram under this title shall submit to the Secretary
10 a copy of the statistics required to be made available
11 under paragraph (1)(B). The Secretary shall—

12 “(A) review such statistics;

13 “(B) make copies of the statistics sub-
14 mitted to the Secretary available to the public;
15 and

16 “(C) in coordination with nationally recog-
17 nized fire organizations and representatives of
18 institutions of higher education, identify exem-
19 plary fire safety policies, procedures, and prac-
20 tices and disseminate information concerning
21 those policies, procedures, and practices that
22 have proven effective in the reduction of cam-
23 pus fires.

24 “(5) RULE OF CONSTRUCTION.—Nothing in
25 this subsection shall be construed to authorize the



1 Secretary to require particular policies, procedures,
2 or practices by institutions of higher education with
3 respect to fire safety.

4 “(6) DEFINITIONS.—In this subsection, the
5 term ‘campus’ has the meaning provided in sub-
6 section (f)(6).”.

7 **SEC. 485. DISTANCE EDUCATION DEMONSTRATION PRO-**
8 **GRAM.**

9 (a) ELIGIBLE APPLICANTS.—Section 486(b)(3) (20
10 U.S.C. 1093(b)(3)) is amended—

11 (1) in subparagraph (B), by striking “section
12 102(a)(1)(C)” and inserting “section 102”; and

13 (2) in subparagraph (C), by striking “sub-
14 section (a) of section 102, other than the require-
15 ment of paragraph (3)(A) or (3)(B) of such sub-
16 section,” and inserting “section 101, other than the
17 requirements of subparagraph (A) or (B) of sub-
18 section (b)(4) of such section”.

19 (b) SELECTION.—Section 486(d)(1) (20 U.S.C.
20 1093(d)(1)) is amended—

21 (1) by striking “the third year” and inserting
22 “subsequent years”;

23 (2) by striking “35 institutions” and inserting
24 “100 institutions”; and



1 (3) by adding at the end the following new sen-
2 tence: “Not more than 5 of such institutions, sys-
3 tems, or consortia may be accredited, degree-grant-
4 ing correspondence schools.”.

5 **SEC. 486. COLLEGE AFFORDABILITY DEMONSTRATION PRO-**
6 **GRAM.**

7 Part G of title IV is amended by inserting after sec-
8 tion 486 (20 U.S.C. 1093) the following new section:

9 **“SEC. 486A. COLLEGE AFFORDABILITY DEMONSTRATION**
10 **PROGRAM.**

11 “(a) PURPOSE.—It is the purpose of this section—

12 “(1) to provide, through a college affordability
13 demonstration program, for increased innovation in
14 the delivery of higher education and student finan-
15 cial aid in a manner resulting in reduced costs for
16 students as well as the institution by employing one
17 or more strategies including accelerating degree or
18 program completion, increasing availability of, and
19 access to, distance components of education delivery,
20 engaging in collaborative arrangements with other
21 institutions and organizations, and other alternative
22 methodologies; and

23 “(2) to help determine—



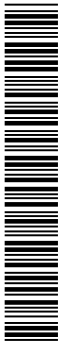
1 “(A) the most effective means of delivering
2 student financial aid as well as quality edu-
3 cation;

4 “(B) the specific statutory and regulatory
5 requirements that should be altered to provide
6 for more efficient and effective delivery of stu-
7 dent financial aid, as well as access to high
8 quality distance education programs, resulting
9 in a student more efficiently completing post-
10 secondary education; and

11 “(C) the most effective methods of obtain-
12 ing and managing institutional resources.

13 “(b) DEMONSTRATION PROGRAM AUTHORIZED.—

14 “(1) IN GENERAL.—In accordance with the
15 purposes described in subsection (a) and the provi-
16 sions of subsection (d), the Secretary is authorized
17 to select not more than 100 institutions of higher
18 education, including those applying as part of sys-
19 tems or consortia of such institutions, for voluntary
20 participation in the College Affordability Demonstra-
21 tion Program in order to enable participating insti-
22 tutions to carry out such purposes by providing pro-
23 grams of postsecondary education, and making avail-
24 able student financial assistance under this title to
25 students enrolled in those programs, in a manner



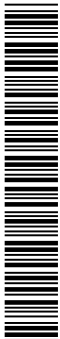
1 that would not otherwise meet the requirements of
2 this title.

3 “(2) WAIVERS.—The Secretary is authorized to
4 waive for any institutions of higher education, or
5 any system or consortia of institutions of higher
6 education, selected for participation in the College
7 Affordability Demonstration Program, any require-
8 ments of this Act or the regulations thereunder as
9 deemed necessary by the Secretary to meet the pur-
10 pose described in subsection (a)(1), and shall make
11 a determination that the waiver can reasonably be
12 expected to result in reduced costs to students or in-
13 stitutions without an increase in Federal program
14 costs. The Secretary may not waive under this para-
15 graph the maximum award amounts for an academic
16 year or loan period.

17 “(3) ELIGIBLE APPLICANTS.—

18 “(A) ELIGIBLE INSTITUTIONS.—Except as
19 provided in subparagraph (B), only an institu-
20 tion of higher education that is eligible to par-
21 ticipate in programs under this title shall be eli-
22 gible to participate in the demonstration pro-
23 gram authorized under this section.

24 “(B) PROHIBITION.—An institution of
25 higher education described in section 102 shall



1 not be eligible to participate in the demonstra-
2 tion program authorized under this section.

3 “(c) APPLICATION.—

4 “(1) IN GENERAL.—Each institution or system
5 of institutions desiring to participate in the dem-
6 onstration program under this section shall submit
7 an application to the Secretary at such time and in
8 such manner as the Secretary may require.

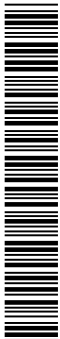
9 “(2) CONTENTS OF APPLICATIONS.—Each ap-
10 plication for the college affordability demonstration
11 program shall include at least the following:

12 “(A) a description of the institution or sys-
13 tem or consortium of institutions and what
14 quality assurance mechanisms are in place to
15 insure the integrity of the Federal financial aid
16 programs;

17 “(B) a description of the innovation or in-
18 novations being proposed and the affected pro-
19 grams and students, including—

20 “(i) a description of any collaborative
21 arrangements with other institutions or or-
22 ganizations to reduce costs;

23 “(ii) a description of any expected
24 economic impact of participation in the



1 program within the community in which
2 the institution is located; and

3 “(iii) a description of any means the
4 institution will employ to reduce the costs
5 of instructional materials, such as text-
6 books;

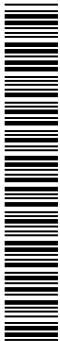
7 “(C) a description of each regulatory or
8 statutory requirement for which waivers are
9 sought, with a reason for each waiver;

10 “(D) a description of the expected out-
11 comes of the program changes proposed, includ-
12 ing the estimated reductions in costs both for
13 the institution and for students;

14 “(E) a description of the quality assurance
15 mechanisms in place to ensure the integrity of
16 the Federal financial aid programs;

17 “(F) an assurance from each institution in
18 a system or consortium of a commitment to ful-
19 fill its role as described in the application;

20 “(G) an assurance that the participating
21 institution or system of institutions will offer
22 full cooperation with the ongoing evaluations of
23 the demonstration program provided for in this
24 section; and



1 “(H) any other information or assurances
2 the Secretary may require.

3 “(d) SELECTION.—In selecting institutions to partici-
4 pate in the demonstration program under this section, the
5 Secretary shall take into account—

6 “(1) the number and quality of applications re-
7 ceived, determined on the basis of the contents re-
8 quired by subsection (c)(2);

9 “(2) the Department’s capacity to oversee and
10 monitor each institution’s participation;

11 “(3) an institution’s—

12 “(A) financial responsibility;

13 “(B) administrative capability;

14 “(C) program or programs being offered
15 via distance education, if applicable;

16 “(D) student completion rates; and

17 “(E) student loan default rates; and

18 “(4) the participation of a diverse group of in-
19 stitutions with respect to size, mission, and geo-
20 graphic distribution.

21 “(e) NOTIFICATION.—The Secretary shall make
22 available to the public and to the authorizing committees
23 a list of institutions selected to participate in the dem-
24 onstration program authorized by this section. Such notice
25 shall include a listing of the specific statutory and regu-



1 latory requirements being waived for each institution and
2 a description of the innovations being demonstrated.

3 “(f) EVALUATIONS AND REPORTS.—

4 “(1) EVALUATION.—The Secretary shall evalu-
5 ate the demonstration program authorized under
6 this section on a biennial basis. Such evaluations
7 specifically shall review—

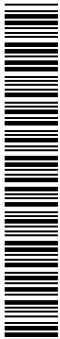
8 “(A) the extent to which expected out-
9 comes, including the estimated reductions in
10 cost, were achieved;

11 “(B) the number and types of students
12 participating in the programs offered, including
13 the progress of participating students toward
14 recognized certificates or degrees and the extent
15 to which participation in such programs in-
16 creased;

17 “(C) issues related to student financial as-
18 sistance associated with the innovations under-
19 taken;

20 “(D) effective technologies and alternative
21 methodologies for delivering student financial
22 assistance;

23 “(E) the extent of the cost savings to the
24 institution, the student, and the Federal Gov-
25 ernment by virtue of the waivers provided, and



1 an estimate as to future cost savings for the
2 duration of the demonstration program;

3 “(F) the extent to which students saved
4 money by virtue of completing their postsec-
5 ondary education sooner;

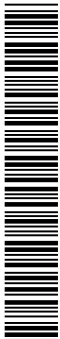
6 “(G) the extent to which the institution re-
7 duced its tuition and fees and its costs by virtue
8 of participation in the demonstration program;

9 “(H) the extent to which any collaborative
10 arrangements with other institutions or organi-
11 zations have reduced the participating institu-
12 tion’s costs; and

13 “(I) the extent to which statutory or regu-
14 latory requirements not waived under the dem-
15 onstration program present difficulties for stu-
16 dents or institutions.

17 “(2) POLICY ANALYSIS.—The Secretary shall
18 review current policies and identify those policies
19 that present impediments to the implementation of
20 innovations that result in cost savings and in ex-
21 panding access to education.

22 “(3) REPORTS.—The Secretary shall provide a
23 report to the authorizing committees on a biennial
24 basis regarding—



1 “(A) the demonstration program author-
2 ized under this section;

3 “(B) the results of the evaluations con-
4 ducted under paragraph (1);

5 “(C) the cost savings to the Federal Gov-
6 ernment by the demonstration program author-
7 ized by this section; and

8 “(D) recommendations for changes to in-
9 crease the efficiency and effective delivery of fi-
10 nancial aid.

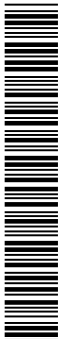
11 “(g) OVERSIGHT.—In conducting the demonstration
12 program authorized under this section, the Secretary
13 shall, on a continuing basis—

14 “(1) ensure compliance of institutions or sys-
15 tems of institutions with the requirements of this
16 title (other than the sections and regulations that
17 are waived under subsection (b)(2));

18 “(2) provide technical assistance to institutions
19 in their application to and participation in the dem-
20 onstration program;

21 “(3) monitor fluctuations in the student popu-
22 lation enrolled in the participating institutions or
23 systems of institutions;

24 “(4) monitor changes in financial assistance
25 provided at the institution; and



1 “(5) consult with appropriate accrediting agen-
2 cies or associations and appropriate State regulatory
3 authorities.

4 “(h) TERMINATION OF AUTHORITY.—The authority
5 of the Secretary under this section shall cease to be effec-
6 tive on October 1, 2011.”.

7 **SEC. 487. PROGRAM PARTICIPATION AGREEMENTS.**

8 (a) REFUND POLICIES.—Section 487(a) (20 U.S.C.
9 1094(a)) is amended—

10 (1) in paragraph (16), by inserting “or other
11 Federal, State, or local government funds” after
12 “funds under this title” each place it appears;

13 (2) in paragraph (22), by striking “refund pol-
14 icy” and inserting “policy on the return of title IV
15 funds”; and

16 (3) in paragraph (23)—

17 (A) by moving subparagraph (C) 2 em
18 spaces to the left; and

19 (B) by adding after such subparagraph the
20 following new subparagraph:

21 “(D) An institution shall be considered in com-
22 pliance with the requirements of subparagraph (A)
23 for any student to whom the institution electroni-
24 cally transmits a message containing a voter reg-
25 istration form acceptable for use in the State in



1 which the institution is located, or an Internet ad-
2 dress where such a form can be downloaded, pro-
3 vided such information is in an electronic message
4 devoted to voter registration.”.

5 (b) ENFORCING THE 90/10 RULE.—

6 (1) AMENDMENT.—Section 487(a) (20 U.S.C.
7 1094(a)) is further amended by adding at the end
8 the following new paragraph:

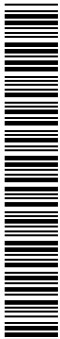
9 “(24) The institution will, as calculated in ac-
10 cordance with subsection (f)(1), have at least 10 per-
11 cent of its revenues from sources other than funds
12 provided under this title, or will be subject to the
13 sanctions described in subsection (f)(2).”.

14 (2) IMPLEMENTATION.—Section 487 is further
15 amended by adding at the end the following new
16 subsection:

17 “(f) IMPLEMENTATION OF NON-TITLE IV REVENUE
18 REQUIREMENT.—

19 “(1) CALCULATION.—In carrying out sub-
20 section (a)(24), an institution shall use the cash
21 basis of accounting and count the following funds to-
22 ward the 10 percent of revenues from sources of
23 funds other than funds provided under this title:

24 “(A) funds used by students to pay tuition,
25 fees, and other institutional charges from



1 sources other than funds provided under this
2 title as long as the institution can reasonably
3 demonstrate that such funds were used for such
4 purposes;

5 “(B) institutional funds used to satisfy
6 matching-fund requirements for programs
7 under this title;

8 “(C) funds from savings plans for edu-
9 cational expenses established pursuant to the
10 Internal Revenue Code of 1986;

11 “(D) funds paid by a student, or on behalf
12 of a student by a party other than the institu-
13 tion, for an education or training program that
14 is not eligible for funds under this title, so long
15 as the program is approved or licensed by the
16 appropriate State agency or an accrediting
17 agency recognized by the Secretary; and

18 “(E) institutional aid, as follows:

19 “(i) in the case of institutional loans,
20 only the amount of loan repayments re-
21 ceived during the fiscal year; and

22 “(ii) in the case of institutional schol-
23 arships, only those provided by the institu-
24 tion in the form of monetary aid or tuition
25 discounts based upon the academic



1 achievements or financial need of students,
2 disbursed during the fiscal year from an
3 established restricted account, and only to
4 the extent that the funds in that account
5 represent designated funds from an outside
6 source or from income earned on those
7 funds.

8 “(2) SANCTIONS.—An institution that fails to
9 meet the requirements of subsection (a)(24) for 3
10 consecutive years shall become ineligible to partici-
11 pate in the programs authorized by this title. In ad-
12 dition to such other means of enforcing the require-
13 ments of this title as may be available to the Sec-
14 retary, if an institution fails to meet the require-
15 ments of subsection (a)(24) in any year, the Sec-
16 retary may impose one or more of the following
17 sanctions on the institution:

18 “(A) Place the institution on provisional
19 certification in accordance with section 498(h)
20 until the institution demonstrates, to the satis-
21 faction of the Secretary, that it is in compliance
22 with subsection (a)(24).

23 “(B) Require such other increased moni-
24 toring and reporting requirements as the Sec-
25 retary determines necessary until the institution



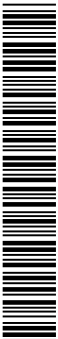
1 demonstrates, to the satisfaction of the Sec-
2 retary, that it is in compliance with subsection
3 (a)(24).

4 “(3) PUBLICATION ON COOL WEBSITE.—The
5 Secretary shall identify, on the College Opportunities
6 On-Line website under section 131(b), any institu-
7 tion that fails to meet the requirements of sub-
8 section (a)(24) in any year as an institution that is
9 failing to meet the minimum non-Federal source of
10 revenue requirements of that subsection.”.

11 (c) REPORTS ON DISCIPLINARY PROCEEDINGS.—

12 (1) AMENDMENT.—Section 487(a) (20 U.S.C.
13 1094(a)) is further amended by adding after para-
14 graph (24), as added by subsection (b) of this sec-
15 tion, the following new paragraph:

16 “(25) The institution will disclose to the alleged
17 victim of any crime of violence (as that term is de-
18 fined in section 16 of title 18), or a nonforcible sex
19 offense, the final results of any disciplinary pro-
20 ceeding conducted by such institution against a stu-
21 dent who is the alleged perpetrator of such crime or
22 offense with respect to such crime or offense. If the
23 alleged victim of such crime or offense is deceased,
24 the next of kin of such victim shall be treated as the
25 alleged victim for purposes of this paragraph.”.



1 (2) EFFECTIVE DATE.—The amendment made
2 by paragraph (1) shall apply with respect to any dis-
3 ciplinary proceeding conducted by such institution
4 on or after one year after the date of enactment of
5 this Act.

6 (d) AUDIT REQUIREMENTS.—Section 487(c)(1)(A)(i)
7 (20 U.S.C. 1094(c)(1)(A)(i)) is amended by inserting be-
8 fore the semicolon at the end the following: “, except that
9 the Secretary may modify the requirements of this clause
10 with respect to institutions of higher education that are
11 foreign institutions, and may waive such requirements
12 with respect to a foreign institution whose students receive
13 less than \$500,000 in loans under this title during the
14 award year preceding the audit period”.

15 **SEC. 488. ADDITIONAL TECHNICAL AND CONFORMING**
16 **AMENDMENTS.**

17 Part G is further amended as follows:

18 (1) Section 483(d) (20 U.S.C. 1090(d)) is
19 amended by striking “that is authorized under sec-
20 tion 685(d)(2)(C)” and inserting “, or another ap-
21 propriate provider of technical assistance and infor-
22 mation on postsecondary educational services, that is
23 supported under section 663”.

24 (2) Section 484 (20 U.S.C. 1091) is amended—



1 (A) in subsection (a)(4), by striking “cer-
2 tification,,” and inserting “certification,”; and

3 (B) in subsection (b)(2)—

4 (i) in the matter preceding subpara-
5 graph (A), by striking “section 428A” and
6 inserting “section 428H”;

7 (ii) in subparagraph (A), by inserting
8 “and” after the semicolon at the end
9 thereof;

10 (iii) in subparagraph (B), by striking
11 “; and” and inserting a period; and

12 (iv) by striking subparagraph (C).

13 (3) Section 484A(b)(2) (20 U.S.C.
14 1091a(b)(2)) is amended by striking “part B of this
15 title” and inserting “part B, D, or E of this title”.

16 (4) Section 485B(a) (20 U.S.C. 1092b(a)) is
17 amended—

18 (A) by redesignating paragraphs (6)
19 through (10) as paragraphs (7) through (11),
20 respectively;

21 (B) by redesignating the paragraph (5) (as
22 added by section 2008 of Public Law 101–239)
23 as paragraph (6); and



1 (C) in paragraph (5) (as added by section
2 204(3) of the National Community Service Act
3 of 1990 (Public Law 101–610))—

4 (i) by striking “(22 U.S.C. 2501 et
5 seq.),” and inserting “(22 U.S.C. 2501 et
6 seq.),”; and

7 (ii) by striking the period at the end
8 thereof and inserting a semicolon.

9 (5) Section 487A(b) (20 U.S.C. 1094a(b)) is
10 amended—

11 (A) in paragraph (1)—

12 (i) by striking “Higher Education
13 Amendments of 1998” and inserting “Col-
14 lege Access and Opportunity Act of 2005”;
15 and

16 (ii) by striking the second sentence;

17 (B) in paragraph (2)—

18 (i) by striking “1993 through 1998”
19 and inserting “1998 through 2004”;

20 (ii) by striking “(as such section” and
21 all that follows through “Amendments of
22 1998)”; and

23 (iii) by striking “Higher Education
24 Amendments of 1998.” and inserting “Col-



1 lege Access and Opportunity Act of
2 2005.”; and

3 (C) in paragraph (3)(A)—

4 (i) by striking “Upon the submission”
5 and all that follows through “limited num-
6 ber of additional institutions for voluntary
7 participation” and inserting “The Sec-
8 retary is authorized to continue the vol-
9 untary participation of institutions partici-
10 pating as of July 1, 2005,”; and

11 (ii) by inserting before the period at
12 the end the following: “, and shall continue
13 the participation of any such institution
14 unless the Secretary determines that such
15 institution’s participation has not been
16 successful in carrying out the purposes of
17 this section”.

18 (6) Section 491(c) (20 U.S.C. 1098(c)) is
19 amended by adding at the end the following new
20 paragraph:

21 “(3) The appointment of members under subpara-
22 graphs (A) and (B) of paragraph (1) shall be effective
23 upon publication of the appointment in the Congressional
24 Record.”.



1 (7) Section 491(h)(1) (20 U.S.C. 1098(h)(1)) is
2 amended by striking “the rate authorized for GS–18
3 of the General Schedule” and inserting “the max-
4 imum rate payable under section 5376 of such title”.

5 (8) Section 491(k) (20 U.S.C. 1098(k)) is
6 amended by striking “2004” and inserting “2011”.

7 (9) Section 493A (20 U.S.C. 1098c) is re-
8 pealed.

9 (10) Section 498 (20 U.S.C. 1099c) is
10 amended—

11 (A) in subsection (c)(2), by striking “for
12 profit,” and inserting “for-profit,”; and

13 (B) in subsection (d)(1)(B), by inserting
14 “and” after the semicolon at the end thereof.

15 **PART H—PROGRAM INTEGRITY**

16 **SEC. 495. ACCREDITATION.**

17 (a) STANDARDS FOR ACCREDITATION.—Section
18 496(a) (20 U.S.C. 1099b(a)) is amended—

19 (1) in paragraph (3)—

20 (A) by inserting “or” after the semicolon
21 at the end of subparagraph (A);

22 (B) by striking subparagraph (B); and

23 (C) by redesignating subparagraph (C) as
24 subparagraph (B);

25 (2) in paragraph (4)—



1 (A) by inserting “(A)” after “(4)”;

2 (B) by inserting after “consistently applies
3 and enforces standards” the following: “that
4 consider the stated missions of institutions of
5 higher education, including such missions as in-
6 culcation of religious values, and”;

7 (C) by inserting “and” after the semicolon
8 at the end thereof; and

9 (D) by adding at the end the following new
10 subparagraph:

11 “(B) if such agency or association already has
12 or seeks to include within its scope of recognition
13 the evaluation of the quality of institutions or pro-
14 grams offering distance education, such agency or
15 association shall, in addition to meeting the other re-
16 quirements of this subpart, demonstrate to the Sec-
17 retary that—

18 “(i) the accreditation agency’s or associa-
19 tion’s standards effectively address the quality
20 of an institution’s distance education programs
21 in the areas identified in paragraph (5) of this
22 subsection, except that the agency or associa-
23 tion shall not be required to have separate
24 standards, procedures, or policies for the eval-
25 uation of distance education institutions or pro-



grams in order to meet the requirements of this subparagraph; and

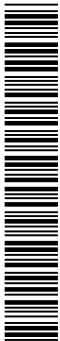
“(ii) the agency or association requires that an institution that offers distance education programs to have processes by which it establishes that the student who registers in a distance education course or program is the same student who participates, completes academic work, and receives academic credit;”;

(3) in paragraph (5)—

(A) by amending subparagraph (A) to read as follows:

“(A) success with respect to student achievement in relation to the institution’s mission, including, as appropriate, consideration of student academic achievement as determined by the institution (in accordance with standards of the accrediting agency or association), retention, course and program completion, State licensing examinations, and job placement rates, and other student performance information selected by the institution, particularly that information used by the institution to evaluate or strengthen its programs;”;

and



1 (B) by amending subparagraph (E) to read
2 as follows:

3 “(E) fiscal, administrative capacity, as ap-
4 propriate to the specified scale of operations,
5 and, for an agency or association where its ap-
6 proval for such institution determines eligibility
7 for student assistance under this title, board
8 governance, within the context of the institu-
9 tion’s mission;”;

10 (4) by striking paragraph (6) and inserting the
11 following:

12 “(6) such an agency or association shall estab-
13 lish and apply review procedures throughout the ac-
14 crediting process, including evaluation and with-
15 drawal proceedings that comply with due process
16 that provides for—

17 “(A) adequate specification of require-
18 ments and deficiencies at the institution of
19 higher education or program being examined;

20 “(B) an opportunity for a written response
21 by any such institution to be included in the
22 evaluation and withdrawal proceedings;

23 “(C) upon the written request of an insti-
24 tution, an opportunity for the institution to ap-
25 peal any adverse action at a hearing prior to



1 such action becoming final before an appeals
2 panel that—

3 “(i) shall not include current members
4 of the agency or association’s underlying
5 decision-making body that made the ad-
6 verse decision; and

7 “(ii) is subject to a conflict of interest
8 of policy; and

9 “(D) the right to representation by counsel
10 for an such institution;”; and

11 (5) by striking paragraph (8) and inserting the
12 following:

13 “(8) such agency or association shall make
14 available to the public and submit to the Secretary
15 and the State licensing or authorizing agency, to-
16 gether with the comments of the affected institution,
17 a summary of agency or association actions,
18 involving—

19 “(A) final denial, withdrawal, suspension,
20 or termination of accreditation; and

21 “(B) any other final adverse action taken
22 with respect to an institution.”.

23 (b) OPERATING PROCEDURES.—Section 496(c) (20
24 U.S.C. 1099b(c)) is amended—



1 (1) by inserting “(including those regarding dis-
2 tance education)” before the semicolon at the end of
3 paragraph (1);

4 (2) by striking “and” at the end of paragraph
5 (5);

6 (3) by striking the period at the end of para-
7 graph (6) and inserting a semicolon; and

8 (4) by inserting after paragraph (6) the fol-
9 lowing new paragraphs:

10 “(7) ensures that its onsite comprehensive re-
11 views for accreditation or reaccreditation include
12 evaluation of the substance of the information re-
13 quired in subparagraph (H) of section 485(a)(1);

14 “(8) confirms as a part of its review for accred-
15 itation or reaccreditation that the institution has
16 transfer policies—

17 “(A) that are publicly disclosed; and

18 “(B) that do not deny transfer of credit
19 based solely on the accreditation of the sending
20 institution as long as the association or agency
21 is recognized by the Secretary pursuant to sec-
22 tion 496;

23 “(9) develops a brief summary, available to the
24 public, of final adverse actions in accordance with
25 the requirements of subsection (a)(8);



1 “(10) monitors the enrollment growth of dis-
2 tance education to ensure that an institution experi-
3 encing significant growth has the capacity to serve
4 its students effectively;

5 “(11) discloses publicly, on the agency’s website
6 or through other similar dissemination—

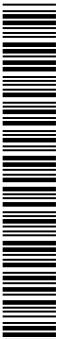
7 “(A) a list of the individuals who com-
8 prised the evaluation teams during the prior
9 calendar year for each agency or association
10 and the title and institutional affiliation of such
11 individuals, although such list shall not be re-
12 quired to identify those individuals who com-
13 prised the evaluation team used for any specific
14 institution;

15 “(B) a description of the agency’s or asso-
16 ciation’s process for selecting, preparing, and
17 evaluating such individuals; and

18 “(C) any statements related to the accredi-
19 tation responsibilities of such individuals; and

20 “(12) reviews the record of student complaints
21 resulting from the student information process de-
22 scribed in section 485(a)(1)(J).”.

23 (c) LIMITATION, SUSPENSION, AND TERMINATION OF
24 RECOGNITION.—Section 496(*l*) is amended by adding at
25 the end the following new paragraph:



1 “(3) The Secretary shall provide an annual report to
2 Congress on the status of any agency or association for
3 which the Secretary has limited, suspended or terminated
4 recognition under this subsection.”.

5 (d) PROGRAM REVIEW AND DATA.—Section 498A(b)
6 (20 U.S.C. 1099c-1(b)) is amended—

7 (1) by striking “and” at the end of paragraph
8 (4);

9 (2) by striking the period at the end of para-
10 graph (5) and inserting a semicolon; and

11 (3) by adding at the end the following new
12 paragraphs:

13 “(6) provide to the institution adequate oppor-
14 tunity to review and respond to any program review
15 report or audit finding and underlying materials re-
16 lated thereto before any final program review or
17 audit determination is reached;

18 “(7) review and take into consideration the in-
19 stitution’s response in any final program review or
20 audit determination, and include in the final
21 determination—

22 “(A) a written statement addressing the
23 institution’s response and stating the basis for
24 such final determination; and



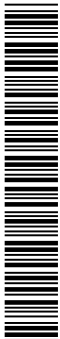
1 “(B) a copy of the institution’s statement
2 in response, appropriately redacted to protect
3 confidential information;

4 “(8) maintain and preserve at all times the con-
5 fidentiality of any program review report or audit
6 finding until the requirements of paragraphs (6) and
7 (7) are met, and until a final program review or
8 audit determination has been issued, except to the
9 extent required to comply with paragraph (5), pro-
10 vided, however, that the Secretary shall promptly
11 disclose any and all program review reports and
12 audit findings to the institution under review; and

13 “(9) require that the authority to approve or
14 issue any program review report or audit finding,
15 preliminary or otherwise, that contains any finding,
16 determination, or proposed assessment that exceeds
17 or may exceed \$500,000 in liabilities shall not be
18 delegated to any official beyond the Chief Operating
19 Officer of Federal Student Aid.”.

20 **SEC. 496. REPORT TO CONGRESS ON PREVENTION OF**
21 **FRAUD AND ABUSE IN STUDENT FINANCIAL**
22 **AID PROGRAMS.**

23 Title IV is amended by adding at the end the fol-
24 lowing new section:



1 **“SEC. 499. REPORT TO CONGRESS ON PREVENTION OF**
2 **FRAUD AND ABUSE IN STUDENT FINANCIAL**
3 **AID PROGRAMS.**

4 “(a) PURPOSE.—It is the purpose of this section to
5 require the Secretary to commission a nonpartisan, com-
6 prehensive study on the prevention of fraud and abuse in
7 title IV student financial aid programs, and to report the
8 results of such study to Congress.

9 “(b) SCOPE OF REPORT.—The study under this sec-
10 tion shall thoroughly identify and address the following:

11 “(1) The impact of fraud and abuse in title IV
12 student financial aid programs upon students and
13 taxpayers, and the nature of such fraud and abuse.

14 “(2) The effectiveness of existing policies and
15 requirements under this Act that were put in place
16 to prevent fraud and abuse in title IV student finan-
17 cial aid programs, and how such policies and re-
18 quirements should be improved.

19 “(3) The extent to which existing protections
20 against fraud and abuse under this Act are ade-
21 quately enforced, and how enforcement should be
22 strengthened.

23 “(4) Areas in which additional information is
24 needed to assess the effectiveness of current protec-
25 tions and enforcement against fraud and abuse.



1 “(5) Existing policies and requirements under
2 this Act aimed at fraud and abuse that are ineffec-
3 tive, hinder innovation, or could be eliminated with-
4 out reducing effectiveness.

5 “(6) New policies and enforcement, particularly
6 those suited for the current higher education mar-
7 ketplace, needed to protect against fraud and abuse
8 in title IV student financial aid programs.

9 “(7) The extent to which States are imple-
10 menting regulations to protect students from fraud
11 and abuse, and whether changes to Federal law will
12 preempt such regulations.

13 “(c) REPORT.—Not later than December 31, 2007,
14 the Secretary, after an opportunity for both the Secretary
15 and the Inspector General of the Department of Edu-
16 cation to review the results of the study, shall transmit
17 to Congress a report on the study conducted under this
18 section. Such report shall—

19 “(1) include clear and specific recommendations
20 for legislative and regulatory actions that are likely
21 to significantly reduce the fraud and abuse in title
22 IV student financial aid programs identified under
23 subsection (b); and

24 “(2) include both the Secretary’s and the In-
25 specter General’s comments on the report.”.



TITLE V—DEVELOPING INSTITUTIONS

SEC. 501. DEFINITIONAL CHANGES.

Section 502(a) (20 U.S.C. 1101a(a)) is amended—

(1) in paragraph (5)—

(A) by inserting “and” after the semicolon at the end of subparagraph (A);

(B) by inserting “at the end of the award year immediately preceding the date of application” after “Hispanic students” in subparagraph (B);

(C) by striking “; and” at the end of subparagraph (B) and inserting a period; and

(D) by striking subparagraph (C); and

(2) by striking paragraph (7).

SEC. 502. ASSURANCE OF ENROLLMENT OF NEEDY STUDENTS.

Section 511(c) (20 U.S.C. 1103(c)) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3) through (7) as paragraphs (2) through (6); and

(3) by inserting after paragraph (6) as so redesignated the following new paragraph:



1 “(7) contain such assurances as the Secretary
2 may require that the institution has an enrollment
3 of needy students as required by section 502(b);”.

4 **SEC. 503. ADDITIONAL AMENDMENTS.**

5 Title V is further amended—

6 (1) in section 502(a)(2)(A) (20 U.S.C.
7 1101a(a)(2)(A)), by redesignating clauses (v) and
8 (vi) as clauses (vi) and (vii), respectively, and insert-
9 ing after clause (iv) the following new clause:

10 “(v) which provides a program of not
11 less than 2 years that is acceptable for full
12 credit toward a bachelor’s degree;”;

13 (2) in section 503(b) (20 U.S.C. 1101b(b))—

14 (A) by amending paragraph (2) to read as
15 follows:

16 “(2) Construction, maintenance, renovation,
17 and improvement in classrooms, libraries, labora-
18 tories, and other instructional facilities, including
19 purchase or rental of telecommunications technology
20 equipment or services, and the acquisition of real
21 property adjacent to the campus of the institution
22 on which to construct such facilities.”;

23 (B) by amending paragraph (12) to read
24 as follows:



1 “(12) Establishing community outreach pro-
2 grams and collaborative partnerships between His-
3 panic-serving institutions and local elementary or
4 secondary schools. Such partnerships may include
5 mentoring, tutoring, or other instructional opportu-
6 nities that will boost student academic achievement
7 and assist elementary and secondary school students
8 in developing the academic skills and the interest to
9 pursue postsecondary education.”;

10 (C) by redesignating paragraphs (5)
11 through (14) as paragraphs (6) through (15),
12 respectively; and

13 (D) by inserting after paragraph (4) the
14 following:

15 “(5) Education or counseling services designed
16 to improve the financial literacy and economic lit-
17 eracy of students and, as appropriate, their par-
18 ents.”;

19 (3) in section 504(a) (20 U.S.C. 1101c(a))—

20 (A) by striking the following:

21 “(a) AWARD PERIOD.—

22 “(1) IN GENERAL.—The Secretary” and insert-
23 ing the following:

24 “(a) AWARD PERIOD.—The Secretary”; and

25 (B) by striking paragraph (2); and



1 (4) in section 514(c) (20 U.S.C. 1103c(c)), by
2 striking “section 505” and inserting “section 504”.

3 **SEC. 504. POSTBACCALAUREATE OPPORTUNITIES FOR HIS-**
4 **PANIC AMERICANS.**

5 (a) ESTABLISHMENT OF PROGRAM.—Title V is
6 amended—

7 (1) by redesignating part B as part C;

8 (2) by redesignating sections 511 through 518
9 as sections 521 through 528, respectively; and

10 (3) by inserting after section 505 (20 U.S.C.
11 1101d) the following new part:

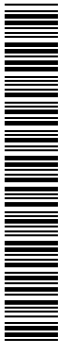
12 **“PART B—PROMOTING POSTBACCALAUREATE**
13 **OPPORTUNITIES FOR HISPANIC AMERICANS**

14 **“SEC. 511. PURPOSES.**

15 “The purposes of this part are—

16 “(1) to expand postbaccalaureate educational
17 opportunities for, and improve the academic attain-
18 ment of, Hispanic students; and

19 “(2) to expand the postbaccalaureate academic
20 offerings and enhance the program quality in the in-
21 stitutions that are educating the majority of His-
22 panic college students and helping large numbers of
23 Hispanic and low-income students complete postsec-
24 ondary degrees.



1 **“SEC. 512. PROGRAM AUTHORITY AND ELIGIBILITY.**

2 “(a) PROGRAM AUTHORIZED.—Subject to the avail-
3 ability of funds appropriated to carry out this part, the
4 Secretary shall award competitive grants to Hispanic-serv-
5 ing institutions determined by the Secretary to be making
6 substantive contributions to graduate educational opportu-
7 nities for Hispanic students.

8 “(b) ELIGIBILITY.—For the purposes of this part, an
9 ‘eligible institution’ means an institution of higher edu-
10 cation that—

11 “(1) is an eligible institution under section
12 502(a)(2); and

13 “(2) offers a postbaccalaureate certificate or de-
14 gree granting program.

15 **“SEC. 513. AUTHORIZED ACTIVITIES.**

16 “Grants awarded under this part shall be used for
17 one or more of the following activities:

18 “(1) Purchase, rental, or lease of scientific or
19 laboratory equipment for educational purposes, in-
20 cluding instructional and research purposes.

21 “(2) Construction, maintenance, renovation,
22 and improvement of classrooms, libraries, labora-
23 tories, and other instructional facilities, including
24 purchase or rental of telecommunications technology
25 equipment or services.



1 “(3) Purchase of library books, periodicals,
2 technical and other scientific journals, microfilm,
3 microfiche, and other educational materials, includ-
4 ing telecommunications program materials.

5 “(4) Support for needy postbaccalaureate stu-
6 dents including outreach, academic support services,
7 mentoring, scholarships, fellowships, and other fi-
8 nancial assistance to permit the enrollment of such
9 students in postbaccalaureate certificate and degree
10 granting programs.

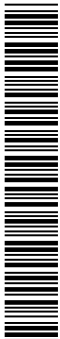
11 “(5) Support of faculty exchanges, faculty de-
12 velopment, faculty research, curriculum development,
13 and academic instruction.

14 “(6) Creating or improving facilities for Inter-
15 net or other distance learning academic instruction
16 capabilities, including purchase or rental of tele-
17 communications technology equipment or services.

18 “(7) Collaboration with other institutions of
19 higher education to expand postbaccalaureate certifi-
20 cate and degree offerings.

21 “(8) Other activities proposed in the application
22 submitted pursuant to section 514 that—

23 “(A) contribute to carrying out the pur-
24 poses of this part; and



1 “(B) are approved by the Secretary as part
2 of the review and acceptance of such applica-
3 tion.

4 **“SEC. 514. APPLICATION AND DURATION.**

5 “(a) APPLICATION.—Any eligible institution may
6 apply for a grant under this part by submitting an applica-
7 tion to the Secretary at such time and in such manner
8 as determined by the Secretary. Such application shall
9 demonstrate how the grant funds will be used to improve
10 postbaccalaureate education opportunities in programs
11 and professions in which Hispanic Americans are under-
12 represented.

13 “(b) DURATION.—Grants under this part shall be
14 awarded for a period not to exceed 5 years.

15 “(c) LIMITATION.—The Secretary shall not award
16 more than one grant under this part in any fiscal year
17 to any Hispanic-serving institution.”.

18 (b) COOPERATIVE ARRANGEMENTS.—Section 524(a)
19 (as redesignated by subsection (a)(2)) (20 U.S.C.
20 1103c(a)) is amended by inserting “and section 513” after
21 “section 503”.

22 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

23 Subsection (a) of section 528 (as redesignated by sec-
24 tion 504(a)(2) of this Act) (20 U.S.C. 1103g) is amended
25 to read as follows:



1 “(a) AUTHORIZATIONS.—

2 “(1) PART A.—There are authorized to be ap-
3 propriated to carry out part A and part C of this
4 title \$96,000,000 for fiscal year 2006 and such
5 sums as may be necessary for each of the 5 suc-
6 ceeding fiscal years.

7 “(2) PART B.—There are authorized to be ap-
8 propriated to carry out part B of this title
9 \$59,000,000 for fiscal year 2006 and such sums as
10 may be necessary for each of the 5 succeeding fiscal
11 years.”.

12 **TITLE VI—TITLE VI**
13 **AMENDMENTS**

14 **SEC. 601. INTERNATIONAL AND FOREIGN LANGUAGE STUD-**
15 **IES.**

16 (a) FINDINGS AND PURPOSES.—Section 601 (20
17 U.S.C. 1121) is amended—

18 (1) in subsection (a)—

19 (A) by striking “post-Cold War” in para-
20 graph (3);

21 (B) by redesignating paragraphs (4) and
22 (5) as paragraphs (5) and (6), respectively; and

23 (C) by inserting after paragraph (3) the
24 following new paragraph:



1 “(4) The events and aftermath of September
2 11, 2001, have underscored the need for the Nation
3 to strengthen and enhance American knowledge of
4 international relations, world regions, and foreign
5 languages. Homeland security and effective United
6 States engagement abroad depend upon an increased
7 number of Americans who have received such train-
8 ing and are willing to serve their Nation.”;

9 (2) in subsection (b)(1)—

10 (A) by striking “; and” at the end of sub-
11 paragraph (D) and inserting “, including
12 through linkages overseas with institutions of
13 higher education and relevant organizations
14 that contribute to the educational programs as-
15 sisted under this part;”;

16 (B) by inserting “and” after the semicolon
17 at the end of subparagraph (E);

18 (C) by inserting after such subparagraph
19 (E) the following new subparagraph:

20 “(F) to assist the national effort to educate and
21 train citizens to participate in the efforts of home-
22 land security;”;

23 (3) in subsection (b)(3)—

24 (A) by inserting “reinforce and” before
25 “coordinate”; and



1 (B) by inserting “, and international busi-
2 ness and trade competitiveness” before the pe-
3 riod.

4 (b) GRADUATE AND UNDERGRADUATE LANGUAGE
5 AND AREA CENTERS AND PROGRAMS.—Section 602(a)
6 (20 U.S.C. 1122(a)) is amended—

7 (1) in paragraph (1), by striking subparagraph
8 (A) and inserting the following:

9 “(A) IN GENERAL.—The Secretary is au-
10 thorized to make grants to institutions of high-
11 er education or consortia of such institutions
12 for the purpose of establishing, strengthening,
13 and operating—

14 “(i) comprehensive foreign language
15 and area or international studies centers
16 and programs; and

17 “(ii) a diverse network of under-
18 graduate foreign language and area or
19 international studies centers and pro-
20 grams.”;

21 (2) in paragraph (2)—

22 (A) by striking “and” at the end of sub-
23 paragraph (G);



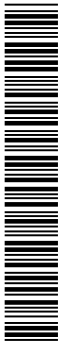
1 (B) by striking the period at the end of
2 subparagraph (H) and inserting a semicolon;
3 and

4 (C) by inserting after subparagraph (H)
5 the following new subparagraphs:

6 “(I) supporting instructors of the less com-
7 monly taught languages;

8 “(J) widely disseminating materials devel-
9 oped by the center or program to local edu-
10 cational agencies and public and private ele-
11 mentary and secondary education schools, and
12 institutions of higher education, presented from
13 diverse perspectives and reflective of a wide
14 range of views on the subject matter, except
15 that no more than 50 percent of funds awarded
16 to an institution of higher education or con-
17 sortia of such institutions for purposes under
18 this title may be associated with the costs of
19 dissemination; and

20 “(K) projects that support in students an
21 understanding of science and technology in co-
22 ordination with foreign language proficiency.”;
23 and
24 (3) in paragraph (4)—



1 (A) by amending subparagraph (B) to read
2 as follows:

3 “(B) Partnerships or programs of linkage
4 and outreach with 2-year and 4-year colleges
5 and universities, including colleges of education
6 and teacher professional development pro-
7 grams.”;

8 (B) in subparagraph (C), by striking “Pro-
9 grams of linkage or outreach” and inserting
10 “Partnerships or programs of linkage and out-
11 reach”;

12 (C) in subparagraph (E)—

13 (i) by striking “foreign area” and in-
14 serting “area studies”;

15 (ii) by striking “of linkage and out-
16 reach”; and

17 (iii) by striking “(C), and (D)” and
18 inserting “(D), and (E)”;

19 (D) by redesignating subparagraphs (C),
20 (D), and (E) as subparagraphs (D), (E), and
21 (F), respectively; and

22 (E) by inserting after subparagraph (B)
23 the following new subparagraph:

24 “(C) Partnerships with local educational
25 agencies and public and private elementary and



1 secondary education schools that are designed
2 to increase student academic achievement in
3 foreign language and knowledge of world re-
4 gions, and to facilitate the wide dissemination
5 of materials related to area studies, foreign lan-
6 guages, and international studies that are re-
7 flective of a wide range of views on the subject
8 matter.”.

9 (c) LANGUAGE RESOURCE CENTERS.—Section
10 603(c) (20 U.S.C. 1123(c)) is amended by inserting “re-
11 flect the purposes of this part and” after “shall”.

12 (d) UNDERGRADUATE INTERNATIONAL STUDIES AND
13 FOREIGN LANGUAGE PROGRAMS.—Section 604 (20
14 U.S.C. 1124) is amended—

15 (1) in subsection (a)(1), by striking “combina-
16 tions” each place it appears and inserting “con-
17 sortia”;

18 (2) in subsection (a)(2)—

19 (A) in subparagraph (B)(ii), by striking
20 “teacher training” and inserting “teacher pro-
21 fessional development”;

22 (B) by redesignating subparagraphs (I)
23 through (M) as subparagraphs (J) through (N),
24 respectively;



1 (C) by inserting after subparagraph (H)
2 the following new subparagraph:

3 “(I) the provision of grants for educational
4 programs abroad that are closely linked to the
5 program’s overall goals and have the purpose of
6 promoting foreign language fluency and knowl-
7 edge of world regions, except that not more
8 than 10 percent of a grant recipient’s funds
9 may be used for this purpose;”; and

10 (D) in subparagraph (M)(ii) (as redesign-
11 nated by subparagraph (B) of this paragraph),
12 by striking “elementary and secondary edu-
13 cation institutions” and inserting “local edu-
14 cational agencies and public and private ele-
15 mentary and secondary education schools”;

16 (3) in subsection (a)(4)(B), by inserting “that
17 demonstrates a need for a waiver or reduction” be-
18 fore the period at the end;

19 (4) in subsection (a)(6), by inserting “reflect
20 the purposes of this part and” after “shall”;

21 (5) in subsection (a)(8), by striking “may” and
22 inserting “shall”; and

23 (6) by striking subsection (c).

24 (e) RESEARCH; STUDIES; ANNUAL REPORT.—Sec-
25 tion 605(a) (20 U.S.C. 1125(a)) is amended by inserting



1 before the period at the end of the first sentence the fol-
2 lowing: “, including the systematic collection, analysis, and
3 dissemination of data”.

4 (f) TECHNOLOGICAL INNOVATION AND COOPERATION
5 FOR FOREIGN INFORMATION ACCESS.—Section 606 (20
6 U.S.C. 1126) is amended—

7 (1) in subsection (a)—

8 (A) by striking “or consortia of such insti-
9 tutions or libraries” and inserting “museums,
10 or consortia of such entities”;

11 (B) by striking “new”; and

12 (C) by inserting “from foreign sources”
13 after “disseminate information”;

14 (2) in subsection (b)—

15 (A) by inserting “acquire and” before “fa-
16 cilitate access” in paragraph (1);

17 (B) by striking “new means of” in para-
18 graph (3) and inserting “new means and stand-
19 ards for”;

20 (C) by striking “and” at the end of para-
21 graph (6);

22 (D) by striking the period at the end of
23 paragraph (7) and by inserting a semicolon;
24 and



1 (E) by inserting after paragraph (7) the
2 following new paragraphs:

3 “(8) to establish linkages between grant recipi-
4 ents under subsection (a) with libraries, museums,
5 organizations, or institutions of higher education lo-
6 cated overseas to facilitate carrying out the purposes
7 of this section; and

8 “(9) to carry out other activities deemed by the
9 Secretary to be consistent with the purposes of this
10 section.”; and

11 (3) by adding at the end the following new sub-
12 section:

13 “(e) SPECIAL RULE.—The Secretary may waive or
14 reduce the required non-Federal share for institutions
15 that—

16 “(1) are eligible to receive assistance under part
17 A or B of title III or under title V; and

18 “(2) have submitted a grant application under
19 this section that demonstrates a need for a waiver
20 or reduction.”.

21 (g) SELECTION OF GRANT RECIPIENTS.—Section
22 607(b) (20 U.S.C. 1127(b)) is amended—

23 (1) by striking “objectives” and inserting “mis-
24 sions”; and



1 (2) by adding at the end the following new sen-
2 tence: “In keeping with the purposes of this part,
3 the Secretary shall take into account the degree to
4 which activities of centers, programs, and fellowships
5 at institutions of higher education address national
6 interests, generate and disseminate information, and
7 foster debate on international issues from diverse
8 perspectives.”.

9 (h) EQUITABLE DISTRIBUTION.—Section 608(a) (20
10 U.S.C. 1128(a)) is amended by adding at the end the fol-
11 lowing new sentence: “Grants made under section 602
12 shall also reflect the purposes of this part.”.

13 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
14 610 (20 U.S.C. 1128b) is amended—

15 (1) by striking “1999” and inserting “2006”;
16 and

17 (2) by striking “4 succeeding” and inserting “5
18 succeeding”.

19 (j) CONFORMING AMENDMENTS.—

20 (1) Sections 603(a), 604(a)(5), and 612 (20
21 U.S.C. 1123(a), 1124(a)(5), 1130–1) are each
22 amended by striking “combinations” each place it
23 appears and inserting “consortia”.



1 (2) Section 612 (20 U.S.C. 1130–1) is amended
2 by striking “combination” each place it appears and
3 inserting “consortium” .

4 **SEC. 602. BUSINESS AND INTERNATIONAL EDUCATION PRO-**
5 **GRAMS.**

6 (a) CENTERS FOR INTERNATIONAL BUSINESS EDU-
7 CATION.—Section 612 (20 U.S.C. 1130–1) is amended—

8 (1) in subsection (c)(1)(D), by inserting “(in-
9 cluding those that are eligible to receive assistance
10 under part A or B of title III or under title V)”
11 after “other institutions of higher education”; and

12 (2) in subsection (e), by adding at the end the
13 following new paragraph:

14 “(5) SPECIAL RULE.—The Secretary may waive
15 or reduce the required non-Federal share for institu-
16 tions that—

17 “(A) are eligible to receive assistance
18 under part A or B of title III or under title V;
19 and

20 “(B) have submitted a grant application
21 under this section that demonstrates a need for
22 a waiver or reduction.”.

23 (b) EDUCATION AND TRAINING PROGRAMS.—Section
24 613 (20 U.S.C. 1130a) is amended by adding at the end
25 the following new subsection:



1 “(e) SPECIAL RULE.—The Secretary may waive or
2 reduce the required non-Federal share for institutions
3 that—

4 “(1) are eligible to receive assistance under part
5 A or B of title III or under title V; and

6 “(2) have submitted a grant application under
7 this section that demonstrates a need for a waiver
8 or reduction.”.

9 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
10 614 (20 U.S.C. 1130b) is amended—

11 (1) by striking “1999” each place it appears
12 and inserting “2006”; and

13 (2) by striking “4 succeeding” each place it ap-
14 pears and inserting “5 succeeding”.

15 **SEC. 603. INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.**

16 (a) FOREIGN SERVICE PROFESSIONAL DEVELOP-
17 MENT.—Section 621 (20 U.S.C. 1131) is amended—

18 (1) by striking the heading of such section and
19 inserting the following:

20 **“SEC. 621. PROGRAM FOR FOREIGN SERVICE PROFES-**
21 **SIONALS.”;**

22 (2) by striking the second sentence of sub-
23 section (a) and inserting the following: “The Insti-
24 tute shall conduct a program to enhance the inter-
25 national competitiveness of the United States by in-



1 creasing the participation of underrepresented popu-
2 lations in the international service, including private
3 international voluntary organizations and the foreign
4 service of the United States.”; and

5 (3) in subsection (b)(1), by striking subpara-
6 graphs (A) and (B) and inserting the following:

7 “(A) A Tribally Controlled College or Uni-
8 versity or Alaska Native or Native Hawaiian-
9 serving institution eligible for assistance under
10 title III, an institution eligible for assistance
11 under part B of title III, or a Hispanic-serving
12 institution eligible for assistance under title V.

13 “(B) An institution of higher education
14 which serves substantial numbers of underrep-
15 resented students.”.

16 (b) INSTITUTIONAL DEVELOPMENT.—Section 622
17 (20 U.S.C. 1131–1) is amended by inserting before the
18 period at the end of subsection (a) the following: “and pro-
19 mote collaboration with colleges and universities that re-
20 ceive funds under this title”.

21 (c) STUDY ABROAD PROGRAM.—Section 623(a) (20
22 U.S.C. 1131a(a)) is amended by inserting after “1978,”
23 the following: “Alaska Native-serving, Native Hawaiian-
24 serving, and Hispanic-serving institutions,”.



1 (d) ADVANCED DEGREE IN INTERNATIONAL RELA-
2 TIONS.—Section 624 (20 U.S.C. 1131b) is amended—

3 (1) by striking “**MASTERS**” in the heading of
4 such section and inserting “**ADVANCED**”;

5 (2) by striking “a masters degree in inter-
6 national relations” and inserting “an advanced de-
7 gree in international relations, international affairs,
8 international economics, or other academic areas re-
9 lated to the Institute fellow’s career objectives”; and

10 (3) by striking “The masters degree program
11 designed by the consortia” and inserting “The ad-
12 vanced degree study program shall be designed by
13 the consortia, consistent with the fellow’s career ob-
14 jectives, and”.

15 (e) INTERNSHIPS.—Section 625 (20 U.S.C. 1131c)
16 is amended—

17 (1) in subsection (a), by inserting after “1978,”
18 the following: “Alaska Native-serving, Native Hawai-
19 ian-serving, and Hispanic-serving institutions,”;

20 (2) in subsection (b)—

21 (A) by inserting “and” after the semicolon
22 at the end of paragraph (2);

23 (B) by striking “; and” at the end of para-
24 graph (3) and inserting a period; and

25 (C) by striking paragraph (4); and



1 (3) by amending subsection (c) to read as fol-
2 lows:

3 “(c) RALPH J. BUNCHE FELLOWS.—In order to as-
4 sure the recognition and commitment of individuals from
5 underrepresented student populations who demonstrate
6 special interest in international affairs and language
7 study, eligible students who participate in the internship
8 programs authorized under (a) and (b) shall be known as
9 the ‘Ralph J. Bunche Fellows’.”.

10 (f) REPORT.—Section 626 (20 U.S.C. 1131d) is
11 amended by striking “annually prepare a report” and in-
12 serting “prepare a report biennially”.

13 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
14 628 (20 U.S.C. 1131f) is amended—

15 (1) by striking “1999” and inserting “2006”;
16 and

17 (2) by striking “4 succeeding” and inserting “5
18 succeeding”.

19 **SEC. 604. EVALUATION, OUTREACH, AND DISSEMINATION.**

20 Part D of title VI is amended by inserting after sec-
21 tion 631 (20 U.S.C. 1132) the following new section:

22 **“SEC. 632. EVALUATION, OUTREACH, AND DISSEMINATION.**

23 “The Secretary may use not more than one percent
24 of the funds made available for this title for program eval-



1 uation, national outreach, and information dissemination
2 activities.”.

3 **SEC. 605. ADVISORY BOARD.**

4 Part D of title VI is amended by inserting after sec-
5 tion 632 (as added by section 604) the following new sec-
6 tion:

7 **“SEC. 633. INTERNATIONAL HIGHER EDUCATION ADVISORY**
8 **BOARD.**

9 “(a) ESTABLISHMENT AND PURPOSE.—

10 “(1) ESTABLISHMENT.—There is established in
11 the Department an independent International High-
12 er Education Advisory Board (hereafter in this sec-
13 tion referred to as the ‘International Advisory
14 Board’). The International Advisory Board shall
15 provide advice, counsel, and recommendations to the
16 Secretary and the Congress on international edu-
17 cation issues for higher education.

18 “(2) PURPOSE.—The purpose of the Inter-
19 national Advisory Board is—

20 “(A) to provide expertise in the area of na-
21 tional needs for proficiency in world regions,
22 foreign languages, international affairs, and
23 international business;

24 “(B) to make recommendations that will
25 promote the excellence of international edu-



1 cation programs and result in the growth and
2 development of such programs at the postsec-
3 ondary education level that will reflect diverse
4 perspectives and a wide range of views on world
5 regions, foreign language, international affairs,
6 and international business; and

7 “(C) to advise the Secretary and the Con-
8 gress with respect to needs for expertise in gov-
9 ernment, the private sector, and education in
10 order to enhance America’s understanding of,
11 and engagement in, the world.

12 “(b) INDEPENDENCE OF INTERNATIONAL ADVISORY
13 BOARD.—In the exercise of its functions, powers, and du-
14 ties, the International Advisory Board shall be inde-
15 pendent of the Secretary and the other offices and officers
16 of the Department. Except as provided in this subsection
17 and subsection (f), the recommendations of the Inter-
18 national Advisory Board shall not be subject to review or
19 approval by any officer of the Federal Government. Noth-
20 ing in this title shall be construed to authorize the Inter-
21 national Advisory Board to mandate, direct, or control an
22 institution of higher education’s specific instructional con-
23 tent, curriculum, or program of instruction or instructor.
24 The International Advisory Board is authorized to assess
25 a sample of activities supported under this title, using ma-



1 terials that have been submitted to the Department of
2 Education by grant recipients under this title, in order to
3 provide recommendations to the Secretary and the Con-
4 gress for the improvement of programs under the title and
5 to ensure programs meet the purposes of the title to pro-
6 mote the study of and expertise in foreign language and
7 world regions, especially with respect to diplomacy, na-
8 tional security, and international business and trade com-
9 petitiveness. The recommendations of the International
10 Advisory Board may address any area in need of improve-
11 ment, except that any recommendation of specific legisla-
12 tion to Congress shall be made only if the President deems
13 it necessary and expedient.

14 “(c) MEMBERSHIP.—

15 “(1) APPOINTMENT.—The International Advi-
16 sory Board shall have 7 members of whom—

17 “(A) 3 members shall be appointed by the
18 Secretary;

19 “(B) 2 members shall be appointed by the
20 Speaker of the House of Representatives, upon
21 the recommendation of the Majority Leader and
22 the Minority Leader; and

23 “(C) 2 members shall be appointed by the
24 President pro tempore of the Senate, upon the



1 recommendation of the Majority Leader and the
2 Minority Leader.

3 “(2) REPRESENTATION.—Two of the members
4 appointed by the Secretary under paragraph (1)(A)
5 shall be appointed to represent Federal agencies that
6 have diplomacy, national security, international com-
7 merce, or other international activity responsibilities,
8 after consultation with the heads of such agencies.
9 The members of the International Advisory Board
10 shall also include (but not be limited to) persons
11 with international expertise representing States, in-
12 stitutions of higher education, cultural organizations,
13 educational organizations, international business,
14 local education agencies, students, and private citi-
15 zens with expertise in international concerns.

16 “(3) QUALIFICATION.—Members of the Inter-
17 national Advisory Board shall be individuals who
18 have technical qualifications, professional standing,
19 experience working in international affairs or foreign
20 service or international business occupations, or
21 demonstrated knowledge in the fields of higher edu-
22 cation and international education, including foreign
23 languages, world regions, or international affairs.

24 “(d) FUNCTIONS OF THE INTERNATIONAL ADVISORY
25 BOARD.—



1 “(1) IN GENERAL.—The International Advisory
2 Board shall provide recommendations in accordance
3 with subsection (b) regarding improvement of pro-
4 grams under this title to the Secretary and the Con-
5 gress for their review. The International Advisory
6 Board may—

7 “(A) review and comment upon the regula-
8 tions for grants under this title;

9 “(B) assess a sample of activities sup-
10 ported under this title based on the purposes
11 and objectives of this title, using materials that
12 have been submitted to the Department of Edu-
13 cation by grant recipients under this title, in
14 order to provide recommendations for improve-
15 ment of the programs under this title;

16 “(C) make recommendations that will as-
17 sist the Secretary and the Congress to improve
18 the programs under this title to better reflect
19 the national needs related to foreign languages,
20 world regions, diplomacy, national security, and
21 international business and trade competitive-
22 ness, including an assessment of the national
23 needs and the training provided by the institu-
24 tions of higher education that receive a grant



1 under this title for expert and non-expert level
2 foreign language training;

3 “(D) make recommendations to the Sec-
4 retary and the Congress regarding such studies,
5 surveys, and analyses of international education
6 that will provide feedback about the programs
7 under this title and assure that their relative
8 authorized activities reflect diverse perspectives
9 and a wide range of views on world regions, for-
10 eign languages, diplomacy, national security,
11 and international business and trade competi-
12 tiveness;

13 “(E) make recommendations that will
14 strengthen the partnerships between local edu-
15 cational agencies, public and private elementary
16 and secondary education schools, and grant re-
17 cipients under this title to ensure that the re-
18 search and knowledge about world regions, for-
19 eign languages, and international affairs is
20 widely disseminated to local educational agen-
21 cies;

22 “(F) make recommendations on how insti-
23 tutions of higher education that receive a grant
24 under this title can encourage students to serve
25 the Nation and meet national needs in an inter-



1 national affairs, international business, foreign
2 language, or national security capacity;

3 “(G) make recommendations on how link-
4 ages between institutions of higher education
5 and public and private organizations that are
6 involved in international education, inter-
7 national business and trade competitiveness,
8 language training, and international research
9 capacities may fulfill the manpower and infor-
10 mation needs of United States businesses; and

11 “(H) make recommendations to the Sec-
12 retary and the Congress about opportunities for
13 underrepresented populations in the areas of
14 foreign language study, diplomacy, international
15 business and trade competitiveness, and inter-
16 national economics, in order to effectively carry
17 out the activities of the Institute under part C.

18 “(2) HEARINGS.—The International Advisory
19 Board shall provide for public hearing and comment
20 regarding the matter contained in the recommenda-
21 tions described in paragraph (1), prior to the sub-
22 mission of those recommendations to the Secretary
23 and the Congress.

24 “(e) OPERATIONS OF THE COMMITTEE.—



1 “(1) TERMS.—Each member of the Inter-
2 national Advisory Board shall be appointed for a
3 term of 3 years, except that, of the members first
4 appointed (A) 4 shall be appointed for a term of 3
5 years, and (B) 3 shall be appointed for a term of 4
6 years, as designated at the time of appointment by
7 the Secretary. A member of the International Advi-
8 sory Board may be reappointed to successive terms
9 on the International Advisory Board.

10 “(2) VACANCIES.—Any member appointed to
11 fill a vacancy occurring prior to the expiration of the
12 term of a predecessor shall be appointed only for the
13 remainder of such term. A member of the Inter-
14 national Advisory Board shall, upon the Secretary’s
15 request, continue to serve after the expiration of a
16 term until a successor has been appointed.

17 “(3) NO GOVERNMENTAL MEMBERS.—Except
18 for the members appointed by the Secretary under
19 subsection (c)(1)(A), no officers or full-time employ-
20 ees of the Federal Government shall serve as mem-
21 bers of the International Advisory Board.

22 “(4) MEETINGS.—The International Advisory
23 Board shall meet not less than once each year. The
24 International Advisory Board shall hold additional
25 meetings at the call of the Chair or upon the written



1 request of not less than 3 voting members of the
2 International Advisory Board.

3 “(5) QUORUM.—A majority of the voting mem-
4 bers of the International Advisory Board serving at
5 the time of a meeting shall constitute a quorum.

6 “(6) CHAIR.—The International Advisory
7 Board shall elect a Chairman or Chairwoman from
8 among the members of the International Advisory
9 Board.

10 “(f) SUBMISSION TO DEPARTMENT FOR COM-
11 MENT.—The International Advisory Board shall submit
12 its proposed recommendations to the Secretary of Edu-
13 cation for comment for a period not to exceed 30 days
14 in each instance.

15 “(g) PERSONNEL AND RESOURCES.—

16 “(1) COMPENSATION AND EXPENSE.—Members
17 of the International Advisory Board shall serve with-
18 out pay for such service. Members of the Inter-
19 national Advisory Board who are officers or employ-
20 ees of the United States may not receive additional
21 pay, allowances, or benefits by reason of their serv-
22 ice on the International Advisory Board. Members of
23 the International Advisory Board may each receive
24 reimbursement for travel expenses incident to at-
25 tending International Advisory Board meetings, in-



1 cluding per diem in lieu of subsistence, as authorized
2 by section 5703 of title 5, United States Code, for
3 persons in the Government service employed inter-
4 mittently.

5 “(2) PERSONNEL.—The International Advisory
6 Board may appoint such personnel as may be deter-
7 mined necessary by the Chairman without regard to
8 the provisions of title 5, United States Code, gov-
9 erning appointments in the competitive service, and
10 may be paid without regard to the provisions of
11 chapter 51 and subchapter III of chapter 53 of such
12 title relating to classification and General Schedule
13 pay rates, but no individual so appointed shall be
14 paid in excess of the maximum rate payable under
15 section 5376 of such title. The International Advi-
16 sory Board may appoint not more than one full-time
17 equivalent, nonpermanent, consultant without regard
18 to the provisions of title 5, United States Code. The
19 International Advisory Board shall not be required
20 by the Secretary to reduce personnel to meet agency
21 personnel reduction goals.

22 “(3) CONSULTATION.—In carrying out its du-
23 ties under the Act, the International Advisory Board
24 shall consult with other Federal agencies, represent-



1 atives of State and local governments, and private
2 organizations to the extent feasible.

3 “(4) ASSISTANCE FROM OTHER AGENCIES.—

4 “(A) INFORMATION.—The International
5 Advisory Board is authorized to secure directly
6 from any executive department, bureau, agency,
7 board, commission, office, independent estab-
8 lishment, or instrumentality information, sug-
9 gestions, estimates, and statistics for the pur-
10 pose of this section and each such department,
11 bureau, agency, board, commission, office, inde-
12 pendent establishment, or instrumentality is au-
13 thorized and directed, to the extent permitted
14 by law, to furnish such information, sugges-
15 tions, estimates, and statistics directly to the
16 International Advisory Board, upon request
17 made by the Chairman for the purpose of pro-
18 viding expertise in the area of national needs
19 for the proficiency in world regions, foreign lan-
20 guages, and international affairs.

21 “(B) SERVICES AND PERSONNEL.—The
22 head of each Federal agency shall, to the extent
23 not prohibited by law, consult with the Inter-
24 national Advisory Board in carrying out this
25 section. The International Advisory Board is



1 authorized to utilize, with their consent, the
2 services, personnel, information, and facilities of
3 other Federal, State, local, and private agencies
4 with or without reimbursement, for the purpose
5 of providing expertise in the area of national
6 needs for the proficiency in world regions, for-
7 eign languages, and international affairs.

8 “(5) CONTRACTS; EXPERTS AND CONSULT-
9 ANTS.—The International Advisory Board may enter
10 into contracts for the acquisition of information,
11 suggestions, estimates, and statistics for the purpose
12 of this section. The International Advisory Board is
13 authorized to obtain the services of experts and con-
14 sultants without regard to section 3109 of title 5,
15 United States Code and to set pay in accordance
16 with such section.

17 “(h) TERMINATION.—Notwithstanding the sunset
18 and charter provisions of the Federal Advisory Committee
19 Act (5 U.S.C. App. I) or any other statute or regulation,
20 the International Advisory Board shall be authorized
21 through September 30, 2012.

22 “(i) FUNDS.—The Secretary shall use not more than
23 one-half of the funds available to the Secretary under sec-
24 tion 632 to carry out this section.”.



1 **SEC. 606. RECRUITER ACCESS TO STUDENTS AND STUDENT**
2 **RECRUITING INFORMATION; SAFETY.**

3 Part D of title VI is amended by inserting after sec-
4 tion 633 (as added by section 605) the following new sec-
5 tions:

6 **“SEC. 634. RECRUITER ACCESS TO STUDENTS AND STU-**
7 **DENT RECRUITING INFORMATION.**

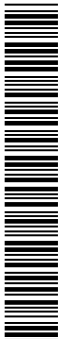
8 “Each institution of higher education that receives a
9 grant under this title shall assure that—

10 “(1) recruiters of the United States Govern-
11 ment and agencies thereof are given the same access
12 to students as is provided generally to other institu-
13 tions of higher education and prospective employers
14 of those students for the purpose of recruiting for
15 graduate opportunities or prospective employment;
16 and

17 “(2) no undue restrictions are placed upon stu-
18 dents that seek employment with the United States
19 Government or any agency thereof.

20 **“SEC. 635. STUDENT SAFETY.**

21 “Applicants seeking funds under this title to support
22 student travel and study abroad shall submit as part of
23 their grant application a description of safety policies and
24 procedures for students participating in the program while
25 abroad.”.



1 **SEC. 607. NATIONAL STUDY OF FOREIGN LANGUAGE HERIT-**
2 **AGE COMMUNITIES.**

3 Part D of title VI is further amended by inserting
4 after section 635 (as added by section 606) the following
5 new section:

6 **“SEC. 636. NATIONAL STUDY OF FOREIGN LANGUAGE HER-**
7 **ITAGE COMMUNITIES.**

8 “(a) STUDY.—The Secretary of Education, in con-
9 sultation with the International Advisory Board, shall con-
10 duct a study to identify foreign language heritage commu-
11 nities, particularly such communities that include speakers
12 of languages that are critical to the national security of
13 the United States.

14 “(b) FOREIGN LANGUAGE HERITAGE COMMUNITY.—
15 For purposes of this section, the term ‘foreign language
16 heritage community’ means a community of residents or
17 citizens of the United States who are native speakers of,
18 or who have partial fluency in, a foreign language.

19 “(c) REPORT.—Not later than one year after the date
20 of the enactment of this Act, the Secretary of Education
21 shall submit a report to the Congress on the results of
22 the study conducted under this section.”.



TITLE VII—TITLE VII AMENDMENTS

SEC. 701. JAVITS FELLOWSHIP PROGRAM.

(a) AUTHORITY AND TIMING OF AWARDS.—Section 701(a) (20 U.S.C. 1132a(a)) is amended by inserting after the second sentence the following: “For purposes of the exception in the preceding sentence, a master’s degree in fine arts shall be considered a terminal degree.”.

(b) INTERRUPTIONS OF STUDY.—Section 701(c) (20 U.S.C. 1134(c)) is amended by adding at the end the following new sentence: “In the case of other exceptional circumstances, such as active duty military service or personal or family member illness, the institution of higher education may also permit the fellowship recipient to interrupt periods of study for the duration of the tour of duty (in the case of military service) or not more than 12 months (in any other case), but without payment of the stipend.”.

(c) ALLOCATION OF FELLOWSHIPS.—Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

(1) in the first sentence, by inserting “from diverse geographic regions” after “higher education”; and

(2) by adding at the end the following new sentence: “The Secretary shall also assure that at least



1 one representative appointed to the Board represents
2 an institution that is eligible for a grant under title
3 III or V of this Act.”.

4 (d) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is
5 amended—

6 (1) in subsection (a)—

7 (A) by striking “1999–2000” and inserting
8 “2006–2007”;

9 (B) by striking “shall be set” and inserting
10 “may be set”; and

11 (C) by striking “Foundation graduate fel-
12 lowships” and inserting “Foundation Graduate
13 Research Fellowship Program on February 1 of
14 such academic year”; and

15 (2) in subsection (b), by amending paragraph
16 (1)(A) to read as follows:

17 “(1) IN GENERAL.—(A) The Secretary shall (in
18 addition to stipends paid to individuals under this
19 subpart) pay to the institution of higher education,
20 for each individual awarded a fellowship under this
21 subpart at such institution, an institutional allow-
22 ance. Except as provided in subparagraph (B), such
23 allowance shall be, for 2006–2007 and succeeding
24 academic years, the same amount as the institu-
25 tional payment made for 2005–2006 adjusted for



1 2006–2007 and annually thereafter in accordance
2 with inflation as determined by the Department of
3 Labor’s Consumer Price Index for All Urban Con-
4 sumers for the previous calendar year.”.

5 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
6 705 (20 U.S.C. 1134d) is amended by striking “fiscal year
7 1999 and such sums as may be necessary for each of the
8 4 succeeding fiscal years” and inserting “fiscal year 2006
9 and such sums as may be necessary for each of the 5 suc-
10 ceeding fiscal years”.

11 **SEC. 702. GRADUATE ASSISTANCE IN AREAS OF NATIONAL**
12 **NEED.**

13 (a) DESIGNATION OF AREAS OF NATIONAL NEED;
14 PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—

15 (1) in the last sentence of subsection (b)—

16 (A) by striking “and an assessment” and
17 inserting “an assessment”; and

18 (B) by inserting before the period at the
19 end the following: “, and the priority described
20 in subsection (c) of this section”; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(c) PRIORITY.—The Secretary shall establish a pri-
24 ority for grants in order to prepare individuals for the pro-
25 fessoriate who will train highly-qualified elementary and



1 secondary math and science teachers, special education
2 teachers, and teachers who provide instruction for limited
3 English proficient individuals. Such grants shall offer pro-
4 gram assistance and graduate fellowships for—

5 “(1) post-baccalaureate study related to teacher
6 preparation and pedagogy in math and science for
7 students who have completed a master’s degree or
8 are pursuing a doctorate of philosophy in math and
9 science;

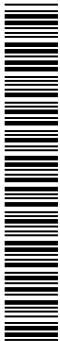
10 “(2) post-baccalaureate study related to teacher
11 preparation and pedagogy in special education and
12 English language acquisition and academic pro-
13 ficiency for limited English proficient individuals;
14 and

15 “(3) support of dissertation research in the
16 fields of math, science, special education, or second
17 language pedagogy and second language acquisi-
18 tion.”.

19 (b) COLLABORATION REQUIRED FOR CERTAIN AP-
20 PPLICATIONS.—Section 713(b) (20 U.S.C. 1135b) is
21 amended—

22 (1) by striking “and” at the end of paragraph
23 (9);

24 (2) by redesignating paragraph (10) as para-
25 graph (11); and



1 (3) by inserting after paragraph (9) the fol-
2 lowing new paragraph:

3 “(10) in the case of an application for a grant
4 by a department, program, or unit in education or
5 teacher preparation, contain assurances that such
6 department, program, or unit collaborates with de-
7 partments, programs, or units in all content areas to
8 assure a successful combination of training in both
9 teaching and such content; and”.

10 (c) STIPENDS.—Section 714(b) (20 U.S.C. 1135c(b))
11 is amended—

12 (1) by striking “1999–2000” and inserting
13 “2006–2007”;

14 (2) by striking “shall be set” and inserting
15 “may be set”; and

16 (3) by striking “Foundation graduate fellow-
17 ships” and inserting “Foundation Graduate Re-
18 search Fellowship Program on February 1 of such
19 academic year”.

20 (d) ADDITIONAL ASSISTANCE.—Section 715(a)(1)
21 (20 U.S.C. 1135d(a)(1)) is amended—

22 (1) by striking “1999–2000” and inserting
23 “2006–2007”;

24 (2) by striking “1998–1999” and inserting
25 “2005–2006”; and



1 (3) by inserting “for All Urban Consumers”
2 after “Price Index”.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
4 716 (20 U.S.C. 1135e) is amended by striking “fiscal year
5 1999 and such sums as may be necessary for each of the
6 4 succeeding fiscal years” and inserting “fiscal year 2006
7 and such sums as may be necessary for each of the 5 suc-
8 ceeding fiscal years”.

9 (f) TECHNICAL AMENDMENTS.—Section 714(c) (20
10 U.S.C. 1135c(c)) is amended—

11 (1) by striking “section 716(a)” and inserting
12 “section 715(a)”; and

13 (2) by striking “section 714(b)(2)” and insert-
14 ing “section 713(b)(2)”.

15 **SEC. 703. THURGOOD MARSHALL LEGAL EDUCATIONAL OP-**
16 **PORTUNITY PROGRAM.**

17 (a) CONTRACT AND GRANT PURPOSES.—Section
18 721(c) (20 U.S.C. 1136(c)) is amended—

19 (1) by amending paragraph (2) to read as fol-
20 lows:

21 “(2) to prepare such students for study at ac-
22 credited law schools and assist them with the devel-
23 opment of analytical skills and study methods to en-
24 hance their success and promote completion of law
25 school;”;



1 (2) by striking “and” at the end of paragraph
2 (4);

3 (3) by striking the period at the end of para-
4 graph (5) and inserting “; and”; and

5 (4) by adding at the end the following new
6 paragraph:

7 “(6) to award Thurgood Marshall Fellowships
8 to eligible law school students—

9 “(A) who participated in summer institutes
10 authorized by subsection (d) and who are en-
11 rolled in an accredited law school; or

12 “(B) who are eligible law school students
13 who have successfully completed a comparable
14 summer institute program certified by the
15 Council on Legal Educational Opportunity.”.

16 (b) SERVICES PROVIDED.—Section 721(d)(1)(D) (20
17 U.S.C. 1136(d)(1)(D)) is amended by inserting “in ana-
18 lytical skills and study methods” after “courses”.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
20 721(h) (20 U.S.C. 1136(h)) is amended by striking “1999
21 and each of the 4 succeeding fiscal years” and inserting
22 “2006 and each of the 5 succeeding fiscal years”.

23 (d) GENERAL PROVISIONS.—Subsection (e) of section
24 731 (20 U.S.C. 1137(e)) is repealed.



1 **SEC. 704. FUND FOR THE IMPROVEMENT OF POSTSEC-**
2 **ONDARY EDUCATION.**

3 (a) CONTRACT AND GRANT PURPOSES.—Section
4 741(a) (20 U.S.C. 1138(a)) is amended—

5 (1) by amending paragraph (1) to read as fol-
6 lows:

7 “(1) the encouragement of the reform and im-
8 provement of, and innovation in, postsecondary edu-
9 cation and the provision of educational opportunity
10 for all, especially for the non-traditional student pop-
11 ulations;”;

12 (2) in paragraph (2), by inserting before the
13 semicolon at the end the following: “for postsec-
14 ondary students, especially institutions, programs,
15 and joint efforts that provide academic credit for
16 programs”;

17 (3) by amending paragraph (3) to read as fol-
18 lows:

19 “(3) the establishment of institutions and pro-
20 grams based on the technology of communications,
21 including delivery by distance education;”;

22 (4) by amending paragraph (6) to read as fol-
23 lows:

24 “(6) the introduction of institutional reforms
25 designed to expand individual opportunities for en-
26 tering and reentering postsecondary institutions and



1 pursuing programs of postsecondary study tailored
2 to individual needs;”;

3 (5) by striking “and” at the end of paragraph
4 (7);

5 (6) by striking the period at the end of para-
6 graph (8) and inserting a semicolon; and

7 (7) by adding at the end the following new
8 paragraphs:

9 “(9) the provision of support and assistance to
10 programs implementing integrated education reform
11 services in order to improve secondary school grad-
12 uation and college attendance and completion rates
13 for disadvantaged students, and to programs that
14 reduce postsecondary remediation rates, and improve
15 degree attainment rates, for low-income students
16 and former high school dropouts; and

17 “(10) the assessment, in partnership with a
18 public or private nonprofit institution or agency, of
19 the performance of teacher preparation programs
20 within institutions of higher education in a State,
21 using an assessment which provides comparisons
22 across such schools within the State based upon in-
23 dicators including teacher candidate knowledge in
24 subject areas in which such candidate has been pre-
25 pared to teach. ”.



1 (b) PROHIBITION.—Section 741 (20 U.S.C. 1138) is
2 further amended by adding at the end the following new
3 subsection:

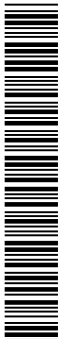
4 “(c) PROHIBITION.—No funds made available under
5 this part may be used to provide financial assistance to
6 students who do not meet the requirements of section
7 484(a)(5).”.

8 (c) AREAS OF NATIONAL NEED.—Section 744(c) (20
9 U.S.C. 1138c(c)) is amended—

10 (1) by amending paragraph (2) to read as fol-
11 lows:

12 “(2)(A) Development of partnerships between
13 local educational agencies and institutions of higher
14 education to establish or expand existing dual enroll-
15 ment programs at institutions of higher education
16 that allow high school students to earn high school
17 and transferable college credit.

18 “(B) Development of consortia of institutions of
19 higher education to create dual enrollment programs
20 including academic and student support agreements
21 and comprehensive articulation agreements that
22 would allow for the seamless and timeless acquisition
23 of college credits and the transfer of postsecondary
24 academic credits between such institutions, particu-



1 larly from 2-year to 4-year institutions of higher
2 education.”; and

3 (2) by striking paragraph (4) and inserting the
4 following:

5 “(4) International cooperation, partnerships, or
6 student exchange among postsecondary educational
7 institutions in the United States and abroad.

8 “(5) Establishment of academic programs in-
9 cluding graduate and undergraduate courses, semi-
10 nars and lectures, support of research, and develop-
11 ment of teaching materials for the purpose of sup-
12 porting faculty and academic programs that teach
13 traditional American history (including significant
14 constitutional, political, intellectual, economic, diplo-
15 matic, and foreign policy trends, issues, and docu-
16 ments; the history, nature, and development of
17 democratic institutions of which American democ-
18 racy is a part; and significant events and individuals
19 in the history of the United States).

20 “(6) Support for planning, applied research,
21 training, resource exchanges or technology transfers,
22 the delivery of services, or other activities the pur-
23 pose of which is to design and implement programs
24 to enable institutions of higher education to work
25 with private and civic organizations to assist commu-



1 nities to meet and address their pressing and severe
2 problems, including economic development, commu-
3 nity infrastructure and housing, crime prevention,
4 education, healthcare, self-sufficiency, and workforce
5 preparation. Such activities may include support for
6 the development of coordinated curriculum and in-
7 ternship opportunities for students in disadvantaged
8 communities.”.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
10 745 (20 U.S.C. 1138d) is amended by striking
11 “\$30,000,000 for fiscal year 1999 and such sums as may
12 be necessary for each of the 4 succeeding fiscal years” and
13 inserting “\$40,000,000 for fiscal year 2006 and such
14 sums as may be necessary for each of the 5 succeeding
15 fiscal years” .

16 **SEC. 705. URBAN COMMUNITY SERVICE.**

17 Part C of title VII (20 U.S.C. 1139 et seq.) is re-
18 pealed.

19 **SEC. 706. DEMONSTRATION PROJECTS TO ENSURE STU-**
20 **DENTS WITH DISABILITIES RECEIVE A QUAL-**
21 **ITY HIGHER EDUCATION.**

22 (a) SERVING ALL STUDENTS WITH DISABILITIES.—
23 Section 762(a) (20 U.S.C. 1140a(a)) is amended by strik-
24 ing “students with learning disabilities” and inserting
25 “students with disabilities”.



1 (b) AUTHORIZED ACTIVITIES.—

2 (1) AMENDMENT.—Section 762(b)(2) is
3 amended—

4 (A) in subparagraph (A), by inserting “in
5 order to improve retention and completion”
6 after “disabilities”;

7 (B) by redesignating subparagraphs (B)
8 and (C) as subparagraphs (C) and (E), respec-
9 tively;

10 (C) by inserting after subparagraph (A)
11 the following new subparagraph:

12 “(B) EFFECTIVE TRANSITION PRAC-
13 TICES.—The development of innovative, effec-
14 tive, and efficient teaching methods and strate-
15 gies to ensure the smooth transition of students
16 with disabilities from high school to postsec-
17 ondary education.”; and

18 (D) by inserting after subparagraph (C)
19 (as redesignated by subparagraph (B) of this
20 paragraph) the following new subparagraph:

21 “(D) DISTANCE LEARNING.—The develop-
22 ment of innovative, effective, and efficient
23 teaching methods and strategies to provide fac-
24 ulty and administrators with the ability to pro-
25 vide accessible distance education programs or



1 classes that would enhance access of students
2 with disabilities to higher education, including
3 the use of electronic communication for instruc-
4 tion and advisement.”.

5 (2) CONFORMING AMENDMENT.—Section
6 762(b)(3) is amended by striking “subparagraphs
7 (A) through (C)” and inserting “subparagraphs (A)
8 through (E)”.

9 (c) APPLICATIONS.—Section 763 (20 U.S.C. 1140b)
10 is amended—

11 (1) by amending paragraph (1) to read as fol-
12 lows:

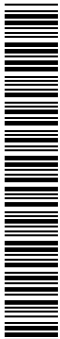
13 “(1) a description of how such institution plans
14 to address the activities allowed under this part;”;

15 (2) by striking “and” at the end of paragraph
16 (2);

17 (3) by striking the period at the end of para-
18 graph (3) and inserting “; and”; and

19 (4) by adding at the end the following new
20 paragraph:

21 “(4) a description of the extent to which an in-
22 stitution will work to replicate the best practices of
23 institutions of higher education with demonstrated
24 success in serving students with disabilities.”.



1 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
2 765 (20 U.S.C. 1140d) is amended by striking “fiscal year
3 1999 and such sums as may be necessary for each of the
4 4 succeeding fiscal years” and inserting “fiscal year 2006
5 and such sums as may be necessary for each of the 5 suc-
6 ceeding fiscal years”.

7 **TITLE VIII—CLERICAL** 8 **AMENDMENTS**

9 **SEC. 801. CLERICAL AMENDMENTS.**

10 (a) DEFINITION.—Section 103 (20 U.S.C. 1003) (as
11 amended by section 102) is further amended—

12 (1) by redesignating paragraphs (1) through
13 (16) as paragraphs (2) through (17), respectively;
14 and

15 (2) by inserting before paragraph (2) (as so re-
16 designated) the following new paragraph:

17 “(1) AUTHORIZING COMMITTEES.—The term
18 ‘authorizing committees’ means the Committee on
19 Health, Education, Labor, and Pensions of the Sen-
20 ate and the Committee on Education and the Work-
21 force of the House of Representatives.”.

22 (b) COMMITTEES.—

23 (1) The following provisions are each amended
24 by striking “Committee on Labor and Human Re-
25 sources of the Senate and the Committee on Edu-



1 cation and the Workforce of the House of Rep-
2 resentatives” and inserting “authorizing commit-
3 tees”:

4 (A) Section 428(g) (20 U.S.C. 1078(g)).

5 (B) Section 428A(c)(2) (20 U.S.C. 1078–
6 1(c)(2)).

7 (C) Section 428A(c)(5) (20 U.S.C. 1078–
8 1(c)(5)).

9 (D) Section 455(b)(7)(B) (20 U.S.C.
10 1087e(b)(7)(B)), as redesignated by section
11 423(b)(3).

12 (E) Section 483(c) (20 U.S.C. 1090(c)).

13 (F) Section 486(e) (20 U.S.C. 1093(e)).

14 (G) Section 486(f)(3)(A) (20 U.S.C.
15 1093(f)(3)(A)).

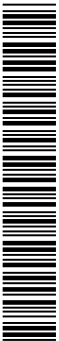
16 (H) Section 486(f)(3)(B) (20 U.S.C.
17 1093(f)(3)(B)).

18 (I) Section 487A(a)(5) (20 U.S.C.
19 1094a(a)(5)).

20 (J) Section 487A(b)(2) (20 U.S.C.
21 1094a(b)(2)).

22 (K) Section 487A(b)(3)(B) (20 U.S.C.
23 1094a(b)(3)(B)).

24 (L) Section 498B(d)(1) (20 U.S.C. 1099c–
25 2(d)(1)).



1 (M) Section 498B(d)(2) (20 U.S.C.
2 1099c-2(d)(2)).

3 (2) The following provisions are each amended
4 by striking “Committee on Education and the Work-
5 force of the House of Representatives and the Com-
6 mittee on Labor and Human Resources of the Sen-
7 ate” and inserting “authorizing committees”:

8 (A) Section 141(d)(4)(B) (20 U.S.C.
9 1018(d)(4)(B)).

10 (B) Section 428(n)(4) (20 U.S.C.
11 1078(n)(4)).

12 (C) Section 437(c)(1) (20 U.S.C.
13 1087(c)(1)).

14 (D) Section 485(f)(5)(A) (20 U.S.C.
15 1092(f)(5)(A)).

16 (E) Section 485(g)(4)(B) (20 U.S.C.
17 1092(g)(4)(B)).

18 (3) Section 401(f)(3) (20 U.S.C. 1070a(f)(3))
19 is amended by striking “Committee on Appropria-
20 tions and the Committee on Labor and Human Re-
21 sources of the Senate and the Committee on Appro-
22 priations and the Committee on Education and the
23 Workforce of the House of Representatives” and in-
24 serting “Committees on Appropriations of the Sen-



1 ate and House of Representatives and the author-
2 izing committees”.

3 (4) Section 428(c)(9)(K) (20 U.S.C.
4 1078(c)(9)(K)) is amended by striking “House Com-
5 mittee on Education and the Workforce and the
6 Senate Committee on Labor and Human Resources”
7 and inserting “authorizing committees”.

8 (5) Section 432(f)(1)(C) (20 U.S.C.
9 1082(f)(1)(C)) is amended by striking “Committee
10 on Education and the Workforce of the House of
11 Representatives or the Committee on Labor and
12 Human Resources of the Senate” and inserting “ei-
13 ther of the authorizing committees”.

14 (6) Section 439(d)(1)(E)(iii) (20 U.S.C. 1087–
15 2(d)(1)(E)(iii)) is amended by striking “Chairman
16 and the Ranking Member on the Committee on
17 Labor and Human Resources of the Senate and the
18 Chairman and the Ranking Member of the Com-
19 mittee on Education and Labor of the House of
20 Representatives” and inserting “chairpersons and
21 ranking minority members of the authorizing com-
22 mittees”.

23 (7) Paragraphs (3) and (8)(C) of section 439(r)
24 (20 U.S.C. 1087–2(r)) are each amended by striking
25 “Chairman and ranking minority member of the



1 Committee on Labor and Human Resources of the
2 Senate, the Chairman and ranking minority member
3 of the Committee on Education and Labor of the
4 House of Representatives,” and inserting “chair-
5 persons and ranking minority members of the au-
6 thorizing committees”.

7 (8) Paragraphs (5)(B) and (10) of section
8 439(r) (20 U.S.C. 1087–2(r)) are each amended by
9 striking “Chairman and ranking minority member of
10 the Senate Committee on Labor and Human Re-
11 sources and to the Chairman and ranking minority
12 member of the House Committee on Education and
13 Labor” and inserting “chairpersons and ranking mi-
14 nority members of the authorizing committees”.

15 (9) Section 439(r)(6)(B) (20 U.S.C. 1087–
16 2(r)(6)(B)) is amended by striking “Chairman and
17 ranking minority member of the Committee on
18 Labor and Human Resources of the Senate and to
19 the Chairman and ranking minority member of the
20 Committee on Education and Labor of the House of
21 Representatives” and inserting “chairpersons and
22 ranking minority members of the authorizing com-
23 mittees”.

24 (10) Section 439(s)(2)(A) (20 U.S.C. 1087–
25 2(s)(2)(A)) is amended by striking “Chairman and



1 Ranking Member of the Committee on Labor and
2 Human Resources of the Senate and the Chairman
3 and Ranking Member of the Committee on Eco-
4 nomic and Educational Opportunities of the House
5 of Representatives” and inserting “chairpersons and
6 ranking minority members of the authorizing com-
7 mittees”.

8 (11) Section 439(s)(2)(B) (20 U.S.C. 1087–
9 2(s)(2)(B)) is amended by striking “Chairman and
10 Ranking Minority Member of the Committee on
11 Labor and Human Resources of the Senate and
12 Chairman and Ranking Minority Member of the
13 Committee on Economic and Educational Opportu-
14 nities of the House of Representatives” and insert-
15 ing “chairpersons and ranking minority members of
16 the authorizing committees”.

17 (12) Section 482(d) (20 U.S.C. 1089(d)) is
18 amended by striking “Committee on Labor and
19 Human Resources of the Senate and the Committee
20 on Education and Labor of the House of Represent-
21 atives” and inserting “authorizing committees”.

22 (c) ADDITIONAL CLERICAL AMENDMENTS.—

23 (1) Clauses (i) and (ii) of section 425(a)(2)(A)
24 (20 U.S.C. 1075(a)(2)(A)) are each amended by



1 striking “428A or 428B” and inserting “428B or
2 428H”.

3 (2) Section 428(a)(2)(E) (20 U.S.C.
4 1078(a)(2)(E)) is amended by striking “428A or”.

5 (3) Clauses (i) and (ii) of section 428(b)(1)(B)
6 (20 U.S.C. 1078(b)(1)(B)) are each amended by
7 striking “428A or 428B” and inserting “428B or
8 428H”.

9 (4) Section 428(b)(1)(Q) (20 U.S.C.
10 1078(b)(1)(Q)) is amended by striking “sections
11 428A and 428B” and inserting “section 428B or
12 428H”.

13 (5) Section 428(b)(7)(C) (20 U.S.C.
14 1078(b)(7)(C)) is amended by striking “428A,
15 428B,” and inserting “428B”.

16 (6) Section 428G(c)(2) (20 U.S.C. 1078–
17 7(c)(2)) is amended by striking “428A” and insert-
18 ing “428H”.

19 (7) The heading for section 433(e) (20 U.S.C.
20 1083(e)) is amended by striking “SLS LOANS
21 AND”.

22 (8) Section 433(e) (20 U.S.C. 1083(e)) is
23 amended by striking “428A, 428B,” and inserting
24 “428B”.



1 (9) Section 435(a)(3) (20 U.S.C. 1085(a)(3)) is
2 amended—

3 (A) by inserting “or” at the end of sub-
4 paragraph (A);

5 (B) by striking subparagraph (B); and

6 (C) by redesignating subparagraph (C) as
7 subparagraph (B).

8 (10) Section 435(d)(1)(G) (20 U.S.C.
9 1085(d)(1)(G)) is amended by striking “428A(d),
10 428B(d), 428C,” and inserting “428B(d), 428C,
11 428H,”.

12 (11) Section 435(m) (20 U.S.C. 1085(m)) is
13 amended—

14 (A) in paragraph (1)(A), by striking “,
15 428A,”; and

16 (B) in paragraph (2)(D), by striking
17 “428A” each place it appears and inserting
18 “428H”.

19 (12) Section 438(b)(2)(D)(ii) (20 U.S.C. 1087–
20 1(b)(2)(D)(ii)) is amended by striking “division (i)
21 of this subparagraph” and inserting “clause (i) of
22 this subparagraph”.

23 (13) Section 438(c)(6) (20 U.S.C. 1087–
24 1(c)(6)) is amended—



1 (A) by striking “SLS AND PLUS” in the
 2 heading and inserting “PLUS”; and

3 (B) by striking “428A or”.

4 (14) Section 438(c)(7) (20 U.S.C. 1087–
 5 1(c)(7)) is amended by striking “428A or”.

6 (15) Nothing in the amendments made by this
 7 subsection shall be construed to alter the terms, con-
 8 ditions, and benefits applicable to Federal supple-
 9 mental loans for students (“SLS loans”) under sec-
 10 tion 428A as in effect prior to July 1, 1994 (20
 11 U.S.C. 1078–1).

12 **TITLE IX—AMENDMENTS TO** 13 **OTHER EDUCATION LAWS**

14 **PART A—EDUCATION OF THE DEAF ACT OF 1986**

15 **SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION** 16 **CENTER.**

17 (a) GENERAL AUTHORITY.—Section 104(a)(1)(A) of
 18 the Education of the Deaf Act of 1986 (20 U.S.C.
 19 4304(a)(1)(A)) is amended by inserting after “maintain
 20 and operate” the following: “, at the Laurent Clerc Na-
 21 tional Deaf Education Center,”.

22 (b) ADMINISTRATIVE REQUIREMENTS.—

23 (1) IN GENERAL.—Section 104(b) of the Edu-
 24 cation of the Deaf Act of 1986 (20 U.S.C. 4304(b))
 25 is amended—



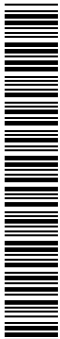
1 (A) in the matter preceding subparagraph
2 (A) of paragraph (1), by striking “elementary
3 and secondary education programs” and insert-
4 ing “Laurent Clerc National Deaf Education
5 Center”; and

6 (B) in paragraph (2), by striking “elemen-
7 tary and secondary education programs” and
8 inserting “Laurent Clerc National Deaf Edu-
9 cation Center”.

10 (2) ACADEMIC CONTENT STANDARDS, ACHIEVE-
11 MENT STANDARDS, AND ASSESSMENTS.—Section
12 104(b) of the Education of the Deaf Act of 1986
13 (20 U.S.C. 4304(b)) is amended by adding at the
14 end the following new paragraph:

15 “(5) The University, in consultation with the Sec-
16 retary and consistent with the mission of the elementary
17 and secondary programs operated at the Laurent Clerc
18 National Deaf Education Center, shall—

19 “(A) not later than the beginning of the 2007–
20 2008 school year, adopt and implement academic
21 content standards, academic achievement standards,
22 and academic assessments as described in para-
23 graphs (1) and (3) of section 1111(b) of the Ele-
24 mentary and Secondary Education Act of 1965 for
25 such Center;



1 “(B) develop adequate yearly progress stand-
2 ards for such Center as described in section
3 1111(b)(2)(C) of such Act; and

4 “(C) publicly report the results of such assess-
5 ments, except in such case in which such reporting
6 would not yield statistically reliable information or
7 would reveal personally identifiable information
8 about an individual student.”.

9 **SEC. 902. AUTHORITY.**

10 Section 111 of the Education of the Deaf Act of 1986
11 (20 U.S.C. 4331) is amended by striking “the institution
12 of higher education with which the Secretary has an agree-
13 ment under this part” and inserting “the Rochester Insti-
14 tute of Technology”.

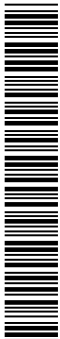
15 **SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL IN-**
16 **STITUTE FOR THE DEAF.**

17 (a) GENERAL AUTHORITY.—Section 112(a) of the
18 Education of the Deaf Act of 1986 (20 U.S.C. 4332(a))
19 is amended—

20 (1) in paragraph (1)—

21 (A) in the first sentence—

22 (i) by striking “an institution of high-
23 er education” and inserting “the Rochester
24 Institute of Technology, Rochester, New
25 York,”; and



1 (ii) by striking “of a” and inserting
2 “of the”; and

3 (B) by striking the second sentence; and
4 (2) in paragraph (2)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “the institution of higher edu-
7 cation with which the Secretary has an agree-
8 ment under this section” and inserting “the
9 Rochester Institute of Technology”; and

10 (B) in subparagraph (B), by striking “the
11 institution” and inserting “the Rochester Insti-
12 tute of Technology”.

13 (b) PROVISIONS OF AGREEMENT.—Section 112(b) of
14 the Education of the Deaf Act of 1986 (20 U.S.C.
15 4332(b)) is amended—

16 (1) in paragraph (2), by striking “or other gov-
17 erning body of the institution” and inserting “of the
18 Rochester Institute of Technology”; and

19 (2) in paragraph (3)—

20 (A) by striking “or other governing body of
21 the institution” and inserting “of the Rochester
22 Institute of Technology”;

23 (B) by striking “the institution of higher
24 education under the agreement with the Sec-
25 retary” and inserting “the Rochester Institute



1 of Technology by the National Technical Insti-
2 tute for the Deaf”; and

3 (C) by striking “Committee on Education
4 and Labor of the House of Representatives and
5 to the Committee on Labor and Human Re-
6 sources of the Senate” and inserting “Com-
7 mittee on Education and the Workforce of the
8 House of Representatives and to the Committee
9 on Health, Education, Labor, and Pensions of
10 the Senate”.

11 (c) LIMITATION.—Section 112(c) of the Education of
12 the Deaf Act of 1986 (20 U.S.C. 4332(c)) is amended in
13 paragraphs (1) and (2) by striking “institution” each
14 place it appears and inserting “Rochester Institute of
15 Technology”.

16 **SEC. 904. DEFINITIONS.**

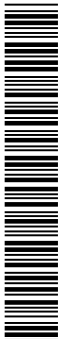
17 Section 201 of the Education of the Deaf Act of 1986
18 (20 U.S.C. 4351) is amended—

19 (1) by striking paragraph (3);

20 (2) by redesignating paragraphs (4) through
21 (7) as paragraphs (3) through (6), respectively; and

22 (3) by adding at the end the following new
23 paragraph:

24 “(7) The term ‘RIT’ means the Rochester Insti-
25 tute of Technology.”.



1 **SEC. 905. AUDIT.**

2 (a) GOVERNMENT ACCOUNTABILITY OFFICE AU-
3 THORITY.—Section 203(a) of the Education of the Deaf
4 Act of 1986 (20 U.S.C. 4353(a)) is amended—

5 (1) in the heading, by striking “GENERAL AC-
6 COUNTING OFFICE” and inserting “GOVERNMENT
7 ACCOUNTABILITY OFFICE”; and

8 (2) in the matter following paragraph (2), by
9 striking “General Accounting Office” and inserting
10 “Government Accountability Office”.

11 (b) INDEPENDENT FINANCIAL AND COMPLIANCE
12 AUDIT.—Section 203(b)(1) of the Education of the Deaf
13 Act of 1986 (20 U.S.C. 4353(b)(1)) is amended by strik-
14 ing the second sentence and inserting the following:
15 “NTID shall have an annual independent financial and
16 compliance audit made of RIT programs and activities,
17 including NTID programs and activities.”.

18 (c) COMPLIANCE.—Section 203(b)(2) of the Edu-
19 cation of the Deaf Act of 1986 (20 U.S.C. 4353(b)(2))
20 is amended by striking “sections” and all that follows
21 through “section 207” and inserting “sections 102(b),
22 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c)
23 through (f) of section 207”.

24 (d) SUBMISSION OF AUDITS.—Section 203(b)(3) of
25 the Education of the Deaf Act of 1986 (20 U.S.C.
26 4353(b)(3)) is amended—



1 (1) by inserting after “Secretary” the following:
2 “and the Committee on Education and the Work-
3 force of the House of Representatives and the Com-
4 mittee on Health, Education, Labor, and Pensions
5 of the Senate”; and

6 (2) by striking “or the institution authorized to
7 establish and operate the NTID under section
8 112(a)” and inserting “or RIT”.

9 (e) LIMITATIONS REGARDING EXPENDITURE OF
10 FUNDS.—Section 203(c)(2)(A) of the Education of the
11 Deaf Act of 1986 (20 U.S.C. 4353(c)(2)(A)) is amended
12 in the fifth sentence by striking “the Committee on Edu-
13 cation and Labor of the House of Representatives and the
14 Committee on Labor and Human Resources of the Sen-
15 ate” and inserting “the Committee on Education and the
16 Workforce of the House of Representatives and the Com-
17 mittee on Health, Education, Labor, and Pensions of the
18 Senate”.

19 **SEC. 906. REPORTS.**

20 (a) TECHNICAL AMENDMENTS.—Section 204 of the
21 Education of the Deaf Act of 1986 (20 U.S.C. 4354) is
22 amended in the matter preceding paragraph (1)—

23 (1) by striking “or other governing body of the
24 institution of higher education with which the Sec-



1 retary has an agreement under section 112” and in-
2 serting “of RIT”; and

3 (2) by striking “Committee on Education and
4 Labor of the House of Representatives and the Com-
5 mittee on Labor and Human Resources of the Sen-
6 ate” and inserting “Committee on Education and
7 the Workforce of the House of Representatives and
8 the Committee on Health, Education, Labor, and
9 Pensions of the Senate”.

10 (b) CONTENTS OF REPORT.—Section 204 of the
11 Education of the Deaf Act of 1986 (20 U.S.C. 4354) is
12 amended—

13 (1) in paragraph (2)(C), by striking “upon
14 graduation/completion” and inserting “within one
15 year of graduation/completion”; and

16 (2) in paragraph (3)(B), by striking “of the in-
17 stitution of higher education with which the Sec-
18 retary has an agreement under section 112, includ-
19 ing specific schedules and analyses for all NTID
20 funds, as required under section 203” and inserting
21 “of RIT programs and activities”.

22 **SEC. 907. LIAISON FOR EDUCATIONAL PROGRAMS.**

23 Section 206(a) of the Education of the Deaf Act of
24 1986 (20 U.S.C. 4356(a)) is amended by striking “Not



1 later than 30 days after the date of enactment of this Act,
2 the” and inserting “The”.

3 **SEC. 908. FEDERAL ENDOWMENT PROGRAMS FOR GAL-**
4 **LAUDET UNIVERSITY AND THE NATIONAL**
5 **TECHNICAL INSTITUTE FOR THE DEAF.**

6 Section 207(a)(2) of the Education of the Deaf Act
7 of 1986 (20 U.S.C. 4357(a)(2)) is amended by striking
8 “or other governing body of the institution of higher edu-
9 cation with which the Secretary has an agreement under
10 section 112” and inserting “of RIT”.

11 **SEC. 909. OVERSIGHT AND EFFECT OF AGREEMENTS.**

12 Section 208(a) of the Education of the Deaf Act of
13 1986 (20 U.S.C. 4359(a)) is amended—

14 (1) by striking “the institution of higher edu-
15 cation with which the Secretary has an agreement
16 under part B of title I” and inserting “RIT”; and

17 (2) by striking “Committee on Labor and
18 Human Resources of the Senate and the Committee
19 on Education and the Workforce of the House of
20 Representatives” and inserting “Committee on Edu-
21 cation and the Workforce of the House of Rep-
22 resentatives and the Committee on Health, Edu-
23 cation, Labor, and Pensions of the Senate”.



1 **SEC. 910. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) MONITORING AND EVALUATION ACTIVITIES.—

3 Section 205(c) of the Education of the Deaf Act of 1986
4 (20 U.S.C. 4355(c)) is amended by striking “fiscal years
5 1998 through 2003” and inserting “fiscal years 2006
6 through 2011”.

7 (b) FEDERAL ENDOWMENT PROGRAMS FOR GAL-
8 LAUDET UNIVERSITY AND THE NATIONAL TECHNICAL IN-
9 STITUTE FOR THE DEAF.—Section 207(h) of the Edu-
10 cation of the Deaf Act of 1986 (20 U.S.C. 4357(h)) is
11 amended in paragraphs (1) and (2) by striking “fiscal
12 years 1998 through 2003” each place it appears and in-
13 serting “fiscal years 2006 through 2011”.

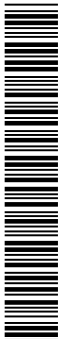
14 (c) GENERAL AUTHORIZATION OF APPROPRIA-
15 TIONS.—Section 212 of the Education of the Deaf Act of
16 1986 (20 U.S.C. 4360a) is amended—

17 (1) in the matter preceding paragraph (1) in
18 subsection (a), by striking “fiscal years 1998
19 through 2003” and inserting “fiscal years 2006
20 through 2011”; and

21 (2) in subsection (b), by striking “fiscal years
22 1998 through 2003” and inserting “fiscal years
23 2006 through 2011”.

24 (d) SHORT TITLE.—

25 (1) IN GENERAL.—The Education of the Deaf
26 Act of 1986 (20 U.S.C. 4301 note) is amended by



1 striking the matter preceding title I and inserting
2 the following:

3 **“SEC. 1. SHORT TITLE.**

4 “This Act may be cited as the ‘Gallaudet University
5 and National Technical Institute for the Deaf Act’.”.

6 (2) OTHER REFERENCES.— Any reference in a
7 law, regulation, document, or other record of the
8 United States to the Education of the Deaf Act of
9 1986 shall be deemed to be a reference to the Gal-
10 laudet University and National Technical Institute
11 for the Deaf Act.

12 **PART B—ADDITIONAL EDUCATION LAWS**

13 **SEC. 921. CANCELLATION OF STUDENT LOAN INDEBTED-**
14 **NESS FOR SURVIVORS OF VICTIMS OF THE**
15 **SEPTEMBER 11, 2001, ATTACKS.**

16 (a) DEFINITIONS.—For purposes of this section:

17 (1) ELIGIBLE PUBLIC SERVANT.—The term “el-
18 igible public sesrvant” means an individual who, as
19 determined in accordance with regulations of the
20 Secretary—

21 (A) served as a police officer, firefighter,
22 other safety or rescue personnel, or as a mem-
23 ber of the Armed Forces; and

24 (B) died (or dies) or became (or becomes)
25 permanently and totally disabled due to injuries



1 suffered in the terrorist attack on September
2 11, 2001.

3 (2) ELIGIBLE VICTIM.—The term “eligible vic-
4 tim” means an individual who, as determined in ac-
5 cordance with regulations of the Secretary, died (or
6 dies) or became (or becomes) permanently and to-
7 tally disabled due to injuries suffered in the terrorist
8 attack on September 11, 2001.

9 (3) ELIGIBLE PARENT.—The term “eligible
10 parent” means the parent of an eligible victim if—

11 (A) the parent owes a Federal student loan
12 that is a consolidation loan that was used to
13 repay a PLUS loan incurred on behalf of such
14 eligible victim; or

15 (B) the parent owes a Federal student loan
16 that is a PLUS loan incurred on behalf of an
17 eligible victim.

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of Education.

20 (5) FEDERAL STUDENT LOAN.—The term
21 “Federal student loan” means any loan made, in-
22 sured, or guaranteed under part B, D, or E of title
23 IV of the Higher Education Act of 1965.

24 (b) RELIEF FROM INDEBTEDNESS.—



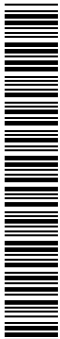
1 (1) IN GENERAL.—The Secretary shall provide
2 for the discharge or cancellation of—

3 (A) the Federal student loan indebtedness
4 of the spouse of an eligible public servant, as
5 determined in accordance with regulations of
6 the Secretary, including any consolidation loan
7 that was used jointly by the eligible public serv-
8 ant and his or her spouse to repay the Federal
9 student loans of the spouse and the eligible
10 public servant;

11 (B) the portion incurred on behalf of the
12 eligible victim (other than an eligible public
13 servant), of a Federal student loan that is a
14 consolidation loan that was used jointly by the
15 eligible victim and his or her spouse, as deter-
16 mined in accordance with regulations of the
17 Secretary, to repay the Federal student loans of
18 the eligible victim and his or her spouse;

19 (C) the portion of the consolidation loan
20 indebtedness of an eligible parent that was in-
21 curred on behalf of an eligible victim; and

22 (D) the PLUS loan indebtedness of an eli-
23 gible parent that was incurred on behalf of an
24 eligible victim.



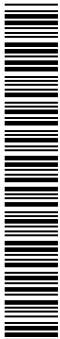
1 (2) METHOD OF DISCHARGE OR CANCELLA-
2 TION.—A loan required to be discharged or canceled
3 under paragraph (1) shall be discharged or canceled
4 by the method used under section 437(a), 455(a)(1),
5 or 464(c)(1)(F) of the Higher Education Act of
6 1965 (20 U.S.C. 1087(a), 1087e(a)(1),
7 1087dd(c)(1)(F)), whichever is applicable to such
8 loan.

9 (c) FACILITATION OF CLAIMS.—The Secretary
10 shall—

11 (1) establish procedures for the filing of appli-
12 cations for discharge or cancellation under this sec-
13 tion by regulations that shall be prescribed and pub-
14 lished within 90 days after the date of enactment of
15 this Act and without regard to the requirements of
16 section 553 of title 5, United States Code; and

17 (2) take such actions as may be necessary to
18 publicize the availability of discharge or cancellation
19 of Federal student loan indebtedness under this sec-
20 tion.

21 (d) AVAILABILITY OF FUNDS FOR PAYMENTS.—
22 Funds available for the purposes of making payments to
23 lenders in accordance with section 437(a) for the dis-
24 charge of indebtedness of deceased or disabled individuals



1 shall be available for making payments under section
2 437(a) to lenders of loans as required by this section.

3 (e) APPLICABLE TO OUTSTANDING DEBT.—The pro-
4 visions of this section shall be applied to discharge or can-
5 cel only Federal student loans (including consolidation
6 loans) on which amounts were owed on September 11,
7 2001. Nothing in this section shall be construed to author-
8 ize any refunding of any repayment of a loan.

9 **SEC. 922. AMENDMENT TO HIGHER EDUCATION AMEND-**
10 **MENTS OF 1998.**

11 (a) REPEALS OF EXPIRED AND EXECUTED PROVI-
12 SIONS.—The following provisions of the Higher Education
13 Amendments of 1998 are repealed:

14 (1) STUDY OF MARKET MECHANISMS IN FED-
15 ERAL STUDENT LOAN PROGRAMS.—Section 801 (20
16 U.S.C. 1018 note).

17 (2) STUDY OF FEASIBILITY OF ALTERNATE FI-
18 NANCIAL INSTRUMENTS FOR DETERMINING LENDER
19 YIELDS.—Section 802.

20 (3) STUDENT RELATED DEBT STUDY.—Section
21 803 (20 U.S.C. 1015 note).

22 (4) STUDY OF OPPORTUNITIES FOR PARTICIPA-
23 TION IN ATHLETIC PROGRAMS.—Section 805 (20
24 U.S.C. 1001 note).



1 (5) COMMUNITY SCHOLARSHIP MOBILIZA-
2 TION.—Part C of title VIII (20 U.S.C. 1070 note).

3 (6) INCARCERATED YOUTH.—Part D of title
4 VIII (20 U.S.C. 1151).

5 (7) IMPROVING UNITED STATES UNDER-
6 STANDING OF SCIENCE, ENGINEERING, AND TECH-
7 NOLOGY IN EAST ASIA.—Part F of title VIII (42
8 U.S.C. 1862 note).

9 (8) WEB-BASED EDUCATION COMMISSION.—
10 Part J of title VIII.

11 (b) EXTENSIONS OF AUTHORIZATIONS AND STUD-
12 IES.—

13 (1) TRANSFER OF CREDIT.—Section 804(b) of
14 such Act (20 U.S.C. 1099b note) is amended—

15 (A) by striking “one year after the date of
16 enactment of this Act” and inserting “Sep-
17 tember 30, 2007”; and

18 (B) by inserting “and policies of institu-
19 tions of higher education” after “agencies or
20 associations”.

21 (2) COHORT DEFAULT RATE STUDY.—Section
22 806 of such Act is amended—

23 (A) in subsection (a), by striking “higher
24 education at which less” and inserting “higher
25 education. The study shall also review the effect



1 of cohort default rates specifically on institu-
2 tions of higher education at which less”; and

3 (B) in subsection (c), by striking “Sep-
4 tember 30, 1999,” and inserting “September
5 30, 2007,”.

6 (3) VIOLENCE AGAINST WOMEN.—Section 826
7 of such Act (20 U.S.C. 1152) is amended—

8 (A) in subsection (g), by striking “for each
9 of the fiscal years 2001 through 2005” and in-
10 serting “fiscal year 2006 and each of the 5 suc-
11 ceeding fiscal years”; and

12 (B) by redesignating subsections (f) and
13 (g) as subsections (e) and (f), respectively.

14 (4) UNDERGROUND RAILROAD.—Subsection (c)
15 of section 841 (20 U.S.C. 1153(c)) is amended to
16 read as follows:

17 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$3,000,000 for fiscal year 2006 and such sums as may
20 be necessary for each of the 5 succeeding fiscal years.”.

21 **SEC. 923. TRIBALLY CONTROLLED COLLEGE OR UNIVER-**
22 **SITY ASSISTANCE ACT OF 1978.**

23 (a) TITLE I AUTHORIZATION.—Section 110(a) of the
24 Tribally Controlled Community College or University As-
25 sistance Act of 1978 (25 U.S.C. 1810(a)) is amended—



1 (1) by striking “1999” each place it appears
2 and inserting “2006”; and

3 (2) by striking “4 succeeding” each place it ap-
4 pears and inserting “5 succeeding”.

5 (b) TITLE III REAUTHORIZATION.—Section 306(a)
6 of the Tribally Controlled Community College or Univer-
7 sity Assistance Act of 1978 (25 U.S.C. 1836(a)) is
8 amended—

9 (1) by striking “1999” and inserting “2006”;
10 and

11 (2) by striking “4 succeeding” and inserting “5
12 succeeding”.

13 (c) TITLE IV REAUTHORIZATION.—Section 403 of
14 the Tribal Economic Development and Technology Re-
15 lated Education Assistance Act of 1990 (25 U.S.C. 1852)
16 is amended—

17 (1) by striking “1999” and inserting “2006”;
18 and

19 (2) by striking “4 succeeding” and inserting “5
20 succeeding”.

21 (d) ADDITIONAL AMENDMENTS.—The Tribally Con-
22 trolled Community College or University Assistance Act
23 of 1978 is further amended—

24 (1) in section 2(a)(6) (25 U.S.C. 1801(a)(6)),
25 by striking “in the field of Indian education” and in-



1 serting “in the field of Tribal Colleges and Univer-
2 sities and Indian higher education”;

3 (2) in section 2(b), by striking paragraph (5)
4 and inserting the following:

5 “(5) Eligible credits earned in a continuing
6 education program shall be determined as one credit
7 for every 10 contact hours for institutions on a
8 quarter system, and 15 contact hours for institu-
9 tions on a semester system, of participation in an or-
10 ganized continuing education experience under re-
11 sponsible sponsorship, capable direction, and quali-
12 fied instruction, as described in the criteria estab-
13 lished by the International Association for Con-
14 tinuing Education and Training, and may not exceed
15 20 percent of an institution’s total Indian student
16 count.”; and

17 (3) in section 103 (25 U.S.C. 1804), by striking
18 “and” at the end of paragraph (2), by striking the
19 period at the end of paragraph (3) and inserting “;
20 and”, and by inserting after paragraph (3) the fol-
21 lowing new paragraph:

22 “(4) has been accredited by a nationally recog-
23 nized accrediting agency or association determined
24 by the Secretary of Education to be a reliable au-
25 thority as to the quality of training offered, or is, ac-



1 cording to such an agency or association, making
2 reasonable progress toward accreditation.”.

3 **SEC. 924. NAVAJO COMMUNITY COLLEGE ACT.**

4 Section 5(a)(1) of the Navajo Community College Act
5 (25 U.S.C. 640c–1(a)(1)) is amended—

6 (1) by striking “1999” and inserting “2006”;

7 and

8 (2) by striking “4 succeeding” and inserting “5
9 succeeding”.

10 **SEC. 925. EDUCATION AMENDMENTS OF 1992.**

11 Section 1543(d) of the Education Amendments of
12 1992 (20 U.S.C. 1070 note) is amended—

13 (1) by striking “1999” and inserting “2006”;

14 and

15 (2) by striking “4 succeeding” and inserting “5
16 succeeding”.

17 **SEC. 926. STUDY OF STUDENT LEARNING OUTCOMES AND**
18 **PUBLIC ACCOUNTABILITY.**

19 (a) STUDY REQUIRED.—The Secretary shall provide
20 for the conduct a study of the best practices of States in
21 assessing undergraduate postsecondary student learning,
22 particularly as such practices relate to public account-
23 ability systems.

24 (b) CHARACTERISTICS OF THE ASSOCIATION.—Such
25 study shall be conducted by an association or organization



1 with specific expertise and knowledge in state practices
2 and access to necessary state officials (in this section re-
3 ferred to as the “association”). The association respon-
4 sible for the study under this section shall be a national,
5 non-partisan or bi-partisan entity representing States or
6 State officials with expertise in evaluative and qualitative
7 policy research for best practice models, the capacity to
8 convene experts, and to formulate policy recommenda-
9 tions.

10 (c) REQUIRED SUBJECTS OF STUDY.—In performing
11 the study, the association shall, at a minimum, examine
12 the following:

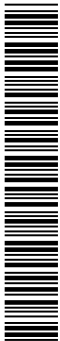
13 (1) The current status of institutional and state
14 efforts to embed student learning assessments into
15 the state-level public accountability frameworks.

16 (2) The extent to which there is commonality
17 among educators and accrediting agencies on learn-
18 ing standards for the associates and bachelors de-
19 grees.

20 (3) The reliability, rigor, and generalizability of
21 available instruments to assess general education at
22 the undergraduate level.

23 (4) Roles and responsibilities for public ac-
24 countability for student learning.

25 (d) CONSULTATION.—



1 (1) NATIONAL COMMITTEE.—The association
2 shall establish and consult with a national com-
3 mittee. The committee shall meet not less than twice
4 a year to review the research, identify best practice
5 models, and review recommendations.

6 (2) MEMBERSHIP.—The national advisory com-
7 mittee shall consist of a representative of the Sec-
8 retary of Education and individuals with expertise
9 in—

- 10 (A) State accountability systems;
- 11 (B) student learning assessments;
- 12 (C) student flow data;
- 13 (D) transitions between K–12 and higher
14 education; and
- 15 (E) Federal higher education policy.

16 (3) ADDITIONAL EXPERTISE.—The association
17 may augment this committee with other expertise, as
18 appropriate.

19 (e) CONGRESSIONAL CONSULTATION.—The associa-
20 tion shall consult on a regular basis with the Committee
21 on Education and the Workforce of the House of Rep-
22 resentatives and the Committee on Health Education
23 Labor and Pensions of the Senate in carrying out the
24 study required by this section.



1 (f) REPORT.—The association shall, not later than
2 two years after the date of enactment of this Act, prepare
3 and submit a report on the study required by this section
4 to the Committee on Education and the Workforce of the
5 House of Representatives and the Committee on Health,
6 Education, Labor, and Pensions of the Senate.

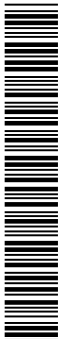
7 **SEC. 927. STUDY OF MINORITY GRADUATION RATES.**

8 (a) STUDY REQUIRED.—The Secretary of Education
9 shall—

10 (1) commission a national study on the decreas-
11 ing numbers of underrepresented minority males,
12 particularly African American males, entering and
13 graduating from colleges and universities; and

14 (2) make specific recommendations to the Con-
15 gress on new approaches to increase minority male
16 graduation rates and the number of minority males
17 going into careers where the population is underrep-
18 resented.

19 (b) SUBMISSION OF REPORT.—Not later than one
20 year after the date of the enactment this Act, the Sec-
21 retary shall submit a report on the study required by sub-
22 section (a)(1), together with the recommendations re-
23 quired by subsection (a)(2), to the Committee on Health,
24 Education, Labor and Pensions of the Senate and the



1 Committee on Education and the Workforce of the House
2 of Representatives.

3 **SEC. 928. STUDY OF EDUCATION-RELATED INDEBTEDNESS**
4 **OF MEDICAL SCHOOL GRADUATES.**

5 (a) STUDY REQUIRED.—The Secretary of Education
6 shall conduct a study to evaluate the higher education-
7 related indebtedness of medical school graduates in the
8 United States at the time of graduation.

9 (b) DEADLINE.—Not later than one year after the
10 date of enactment of this Act, the Secretary shall submit
11 a report on the study required by subsection (a) to the
12 Committee on Education and the Workforce of the House
13 of Representatives and the Committee on Health, Edu-
14 cation, Labor and Pensions of the Senate, and shall make
15 the report widely available to the public. Additional re-
16 ports may be periodically prepared and released as nec-
17 essary.

18 **SEC. 929. STUDY OF ADULT LEARNERS.**

19 The Secretary of Education shall conduct a study of
20 the developing trends in older adult learners attending col-
21 lege and how institutions of higher education are address-
22 ing the needs of this specific population in terms of out-
23 reach, accessibility, financing, and student support serv-
24 ices, including online education. The Secretary shall sub-
25 mit a report on the study to the Committee on Education



1 and the Workforce of the House of Representatives that
2 includes recommendations on measures the Federal Gov-
3 ernment can take to address the needs in regards to edu-
4 cation and job training for the aging population and the
5 changing demographics of our country.

6 **SEC. 930. INCREASE IN COLLEGE TEXTBOOK PRICES.**

7 (a) FINDINGS.—The Committee on Education and
8 the Workforce of the House of Representatives makes the
9 following findings:

10 (1) The rising costs of higher education are
11 making a postsecondary education inaccessible for
12 many individuals.

13 (2) The rise in college textbook pricing contrib-
14 utes to the overall costs of higher education, and
15 many factors have contributed to the rise in text-
16 book pricing.

17 (b) SENSE OF THE COMMITTEE ON EDUCATION AND
18 THE WORKFORCE.—It is the sense of the Committee on
19 Education and the Workforce of the House of Representa-
20 tives that in order to make a higher education more acces-
21 sible for all students, the following should occur to make
22 college textbooks more affordable for students:

23 (1) The Congress encourages textbook pub-
24 lishers to provide students with the option of buying
25 materials such as textbooks, CD-ROMs, access to



1 websites, and workbooks, “a la carte” or
2 “unbundled”.

3 (2) Textbook publishers should work with fac-
4 ulty to understand the cost to students of pur-
5 chasing the recommended textbooks.

6 (3) College bookstores should work with faculty
7 to review timelines and processes for ordering and
8 stocking selected textbooks, and disclose textbook
9 costs to faculty and students.

10 (4) Colleges and universities should be encour-
11 aged to implement numerous options to address
12 textbook affordability.

